

Legislature of Ontario Debates

Monday, November 18, 1974 – Tuesday, December 17, 1974

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Monday, November 18, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, NOVEMBER 18, 1974

The House met at 2:30 o'clock p.m.

Prayers.

Mr. Speaker: Statements by the ministry.

TAXI AND LIMOUSINE SERVICES AT AIRPORT

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I wish to announce that an agreement has been reached with the federal government to resolve the present difficulties associated with the provision of taxi and limousine services at Toronto International Airport. This agreement is based upon acceptance by the federal government of a formula which had been suggested by the province.

The formula is described fully in a joint press release which is being issued simultaneously by myself and by the federal Minister of Transport, Hon. Jean Marchand. While a copy of the release is being distributed to each hon. member, I believe that a summary of its contents, together with a few background remarks, may be of interest to this House.

Essentially, the current situation arose because of the federal government's decision to change its regulations so as to allow free and unrestricted access by all municipally licensed taxis for the purpose of picking up passengers at the two airport terminals. I should make it quite clear at this point that the decision to introduce taxicabs as one of the forms of ground transportation available at the airport was a decision taken by the federal government on the basis of its own assessment of airport requirements.

As hon. members are aware, the decision by the federal government to add municipally licensed taxis to those forms of ground transportation available at the Toronto International Airport resulted in difficulties for all concerned, and especially for the travelling public. In the absence of federal access controls, taxis operating beyond the boundaries of the municipality in which they are licensed have been unregulated with regard to the service provided and the fare charged. The physical limitations on the space available for pickups have led to long taxi lines, frayed tempers and poor service to the public.

From Ontario's point of view the taxicab is basically an intra-municipal form of transportation. This is why the industry is regulated by municipal authorities under the provisions of the Municipal Act rather than under the Public Vehicles Act or other legislation which is the responsibility of my ministry. We did not participate in the original decision to use municipal taxis to serve the airport, nor do we have any intention at this time of following the route adopted by the Province of Quebec in bringing all taxis under provincial control. Not only are the complexities of such an undertaking immense, but I am not convinced that provincial control would be in the best interests of either the taxi industry or of the public who make use of this form of transportation.

In our view, the regulation of municipal taxicabs operating out of Toronto International Airport is a special situation and requires a special solution rather than one of province-wide application. Taxis are licensed by their respective municipalities on the basis of municipal need. Service to the airport is, and should remain, a supplement to the taxis' regular business.

Under these circumstances, I have suggested—and the federal minister has now agreed—that the situation be resolved by a procedure based upon the federal government's control over access to airport property. Under this arrangement, the privilege of picking up passengers at the two terminals will be available only to taxi operators which enter into an agreement to provide service under certain stipulated conditions including: minimum vehicle standards; co-operation with airport authorities; fare to be charged; terms under which the agreement may be revoked; etc. Violations of this agreement will result in a suspension of the taxi operator's privilege to pick up passengers at the airport. This suspension will not affect the taxi's regular municipal licence.

For its part, the Ontario government will co-operate in making this federal solution work by making available the chairman and

members of the Ontario Highway Transport Board as advisers to the federal minister regarding the terms and conditions under which a taxi operator will be permitted to pick up passengers at the airport. The board will also serve as advisers to the federal minister with respect to alleged violations and suspensions.

Hon. members will be aware that the chairman and members of the OHTB have very considerable experience in the regulatory field. They already act on behalf of the federal government in the field of extra-provincial truck and bus regulation under the terms of the federal Motor Vehicle Transport Act, and the province is pleased to make their expertise available to advise the federal minister in this case.

In addition, my colleague, the Treasurer (Mr. White), will be introducing into the Legislature a minor amendment to the Municipal Act which is required because of the airport's location within Mississauga boundaries. At present, the Municipal Act gives that municipality jurisdiction over all taxi trips which are entirely within Mississauga boundaries. The amendment will permit a taxi which does not have a Mississauga licence to carry passengers from the airport to a destination within Mississauga.

I should also point out to hon. members that the new procedure will also cover airport limousine services. Historically, these limousines were operated as a part of the regular airport bus service, which held licences under the Public Vehicles Act. While the Ontario Highway Transport Board has continued to issue licences to limousines as a stop-gap measure since their separation from the scheduled bus service, the new procedure will ensure that they have proper authorization and that the service which they provide is related to that provided by the taxis.

In concluding, Mr. Speaker, I wish to emphasize the importance of co-operation in making this solution work. While the basic responsibility rests with the federal government, the co-operation of all parties—the province, the municipal licensing authorities, and the taxi operators themselves—will be required.

For the province's part, I pledge the fullest co-operation by my officials and by the Ontario Highway Transport Board with the Airport Authority and with the federal Ministry of Transport, upon whose shoulders responsibility rests for the implementation of the new procedures. I am confident that, working together, we can ensure that the public interest is met.

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, I would like to give the House details today of the levels of financial operating support we intend to provide to colleges of applied arts and technology and universities for the 1975-1976 academic year. Total support to both the colleges and the universities will be increased from $659 million to $768 million.

In 1975-1976, operating support to the colleges of applied arts and technology will be increased by approximately 15.4 per cent from $173 million to $200 million. The university system will receive a total of $568 million in operating funds, an increase of 16.9 per cent over the $486 million that is the current level of support.

With the proposed levels of operating support and no increase in students' tuition fees, the systems' income will increase by approximately15 per cent. We believe this amount is sufficient to offset inflationary trends, to maintain or improve existing levels of service and to accommodate predicted enrolment increases.

The matter of distribution will be determined on the advice of the council of regents for colleges of applied arts and technology and of the Ontario Council on University Affairs, after consulting with the institutions.

In the guidelines I have given to the two councils, I have indicated that there will be no increase in students' tuition fees, that our policy of accessibility should be maintained, that institutional autonomy should be preserved, and that the global sums I have mentioned should not be exceeded. These global sums include an amount for special and committed expenditures, and expenditures controlled by the ministry on a line-budget basis.

I have suggested that the options considered by the council of regents and the Ontario Council on University Affairs include the following:

1. A continuation of the present formula, to allocate the amounts I mentioned among the various institutions. This would permit a 7.4 per cent increase in the value of the basic income unit to $2,100 in the case of the universities and a 5.5 per cent increase to $2,063 for the colleges;

2. A system whereby one BIU value would be applied to 1973-1974 enrolment to compensate for inflation and a lesser BIU value would be applied to enrolment growth in the current year, or

3. A suspension of the operating grants formula and a flat increase to be applied to each institution's operating grant for the current year.

It is expected that, with this early announcement, our consultative approach will ensure that any distribution mechanism adopted takes into account the diverse needs of the institutions. An early recommendation by the councils will be acted upon speedily by the government, allowing the institutions to make the appropriate budgetary arrangements for next year.

The government will inform the House when we have received the advice of the council of regents and the Ontario Council on University Affairs and when we have decided what course of action to follow in this matter.

SHUTDOWNS OF PICKERING HYDRO STATIONS

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, just for the information of the members, I believe I mentioned last week that Pickering unit 4 was to be shut down, and in fact it was shut down late Thursday evening, Nov. 14, in order to carry out maintenance work on both nuclear and conventional equipment. Planned work has been largely completed and the unit is expected to restart late this evening or early Tuesday morning.

Additionally, Pickering unit 1 was shut down Sunday evening, Nov. 17, when problems were experienced with one of the two digital computers used to control the reactor. It is normal when such events occur to transfer control either manually or automatically to the second computer. In this case, the transfer was unsuccessful due to an operator error. As a result, the unit was automatically shut down in a safe manner, as it is designed to do. Because of the nature of the shutdown a certain delay is necessary before the unit can be restored to service. But it is anticipated the unit will be restarted tomorrow—i.e., Tuesday.

Mr. R. B. Beckett (Brantford): Mr. Speaker, I would like to take this opportunity to introduce to you and the members of this House 23 grade 11 students from St. John's College, Brantford. I ask you to join in a welcome to these students.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I would like to introduce 50 students, and Mr. Sheppard, their teacher, from the West Toronto Secondary School in Parkdale. They are sitting in the west gallery.

Mr. Speaker: Oral questions.

CSAO NEGOTIATIONS

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, my first question is of the Chairman of the Management Board of Cabinet. Now that the civil service members have rejected the first offer which was made, can the minister advise us of the terms of the second offer, which I understand was made at 8 o'clock this morning?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, that is not correct. But I think if you would permit me, rather than doing it by way of a statement, I would like to read the correspondence, which will clear that question.

Mr. J. A. Renwick (Riverdale): Cannot we revert to statements?

Mr. Breithaupt: Can we revert to statements, Mr. Speaker, and this could be dealt with then?

Hon. Mr. Winkler: Certainly.

Mr. M. Shulman (High Park): We cannot revert to ministerial statements without unanimous consent.

Mr. S. Lewis (Scarborough West): Well, we can't revert then. Go ahead.

Mr. Speaker: Do we have the consent of the House to revert to ministerial statements?

Mr. Shulman: Never, never, never!

Mr. Lewis: It would appear that is a dissenting voice.

Hon. Mr. Rhodes: In almost everything.

Mr. Breithaupt: Mr. Speaker, perhaps the time could be added to the question period then.

Interjections by hon. members.

Hon. A. Grossman (Provincial Secretary for Resources Development): The minister is answering the question now.

Hon. Mr. Winkler: On Nov. 12, 1974, a letter was forwarded to the chief negotiator of the Civil Service Association of Ontario at their address. It goes thusly:

Dear Mr. Trower:

As I understand the position of your negotiating committee, you have decided to go back to the membership on Sunday, Nov. 17, to review your mandate before responding to the government's initial offer because your mandate has been to negotiate an across-the-board increase. In view of your opening statement that you would spare no effort to find a basis of settlement, we had hoped for some response to our opening position and some indication that you would be prepared to modify your opening demand for a 61.5 per cent increase in a one-year contract. Such a response from you would have called for a second response from us, hopefully, we could have been on the way to a negotiated settlement.

In order that there will be no misunderstanding of our starting position, I am setting out the details and repeating some of my supporting comments. The details of the position I outlined to you on Friday, Nov. 8, are as follows:

1. Wages—first year: Our initial offer ranged from 10 per cent to 17 per cent depending on the rates currently being paid for similar jobs by other major employers. This offer would result in first-year increases of 16 per cent or more for some 10,500 employees out of approximately 19,000 employees in this category.

Wages—second year: Our opening position was an eight per cent increase for all classes and, in addition, we indicated we were prepared to discuss some means of protecting employees from the effects of inflation. This, as you know, can be achieved by building protection into the wage increase or by reducing the term of the contract. You will be aware that we have recently negotiated other contracts for less than two years.

2. All five-step job ranges will be reduced to four steps by deleting the first step in the range. The anniversary date of all employees who move to the second step of the range on Jan. 1, 1975, as a result of this change will have an anniversary date of Jan. 1 from that point on.

3. Attendants Oak Ridge 1 and 2 will receive parity with correctional officers 1 and 2 effective on Jan. 1, 1975. Attendants Oak Ridge 1 to 4 will then receive the same increase as is negotiated for correctional officers.

4. Industrial safety inspector 2 will achieve parity with construction safety officer on Jan. 1, 1975, and industrial safety inspector 1 will maintain the present salary relationship with industrial safety inspector 2.

5. The custodial responsibility allowance will be increased from $750 to $900 per year, beginning with the year 1975.

I repeat our willingness to meet again on Nov. 18 and as frequently as possible thereafter in an all-out effort to reach agreement before Dec. 31.

That was signed by our senior staff negotiator.

Then this morning we sent the letter or the information that I think maybe the hon. member is referring to. That letter, as I indicated, was dated Nov. 12. This is dated Nov. 18 and addressed to the president of the Civil Service Association at their Toronto address.

Dear Mr. Darrow:

I am very disturbed at the various reports appearing in the press on the status of negotiations for the operational services category. I am particularly concerned about some of the statements which are attributed to members of the CSAO staff. For example, an article in the Globe and Mail on Saturday, Nov. 16, quoted Mr. Norman as follows:

"Negotiations concluded last Friday and up until this moment there has been no attempt by management to give us another package. There has been no overture by government to invite us back to the table.

"We are not holding to any hard and fast position. Mr. Winkler should have put his best shot forward and if he has something else in the bag, it's bargaining in bad faith."

As you and Mr. Norman should know and Mr. Trower does know, these statements bear no resemblance whatsoever to the true position of the parties as stated by the respective spokesmen at the meeting of Friday, Nov. 8.

Speaking for the employer, Mr. Veskimets tabled a wage offer ranging from 10 per cent to 17 per cent in the first year of the agreement and eight per cent for all classes in the second year. In addition, Mr. Veskimets offered significant revisions to job ranges and indicated he was prepared to consider some means of recognizing the effects of inflation which develop in a two-year contract. The offer was clearly described as a starting position which was designed to get the negotiations under way.

Mr. Trower indicated that he could not respond to our offer at this time because his committee had decided to go back to the membership to review the bargaining mandate. The employer's spokesman expressed his concern over the delay and indicated his willingness to continue to meet as often as necessary in order to bring about an agreement.

When subsequent reports indicated that the members might be asked to vote on the employer's starting offer, it was decided that, to avoid any misunderstanding of the offer, it should be set out in writing. A summary was prepared and delivered to Mr. Trower on Tuesday, Nov. 12. The summary also makes it very clear that the offer was a starting position only and repeats our willingness to meet again on Nov. 18.

You realize as well as I do, Mr. Darrow, that concessions will have to be made by both sides if a satisfactory agreement is to be negotiated at the bargaining table.

If we can accept the press report that you will not hold hard and fast to your original demand, I would urge you to direct your committee to return to the bargaining table, so that there can be an honest opportunity of reaching an agreement. The employer's position is negotiable, we trust your position is negotiable as well.

As Mr. Veskimets has already confirmed, we are ready to meet just as soon as your committee can be assembled and to continue to meet as often as necessary from that point on.

It is signed by our Mr. Scott.

Mr. Lewis: I have a supplementary, if I may, Mr. Speaker.

Mr. Speaker: The member for Scarborough West.

Mr. Renwick: It's a little hard to frame a supplementary to that.

Mr. Lewis: Since in the letter dated Nov. 12, which the minister has read, he indicated a willingness to tie some adjustment for inflation to the package, why does he not now make an offer in good faith, involving not just a wage increase but the cost-of-living indexing which the union has asked for and which the minister now indicates on the floor of the House he might be willing to do, and get this thing settled?

Hon. Mr. Winkler: Mr. Speaker, the very obvious answer to that is that we do not negotiate in the media. Nor do we negotiate in this House.

Mr. Lewis: What is he doing?

Mr. Renwick: He has been doing it since he started.

Hon. Mr. Winkler: Oh, no. The hon. member is quite wrong. I have just set out our position as clearly as it can be up to the present point in negotiations. I have only revealed to the House what was that opening offer, which I trust is available now to the members of the CSAO—

Mr. Renwick: The minister negotiated publicly all last week.

Hon. Mr. Winkler: —then I will be satisfied. But I would not be bargaining in good faith if I were to put that forward here today. The place to negotiate is at the table. The government has always been willing—and it's been ready to negotiate.

Mr. Lewis: Then do it at the table—but do it.

Hon. Mr. Winkler: Well, we offered to do that today and we were rejected.

Mr. R. F. Nixon (Leader of the Opposition): A supplementary: I am sorry I wasn't here when the original question was asked—

Mr. Speaker: I will allow one more supplementary.

Mr. R. F. Nixon: Can the minister make it clear whether or not there will be an opportunity today or tomorrow to sit down at the table and bargain and negotiate, hopefully in good faith on both sides?

Hon. Mr. Winkler: Oh, yes, there is no question about that. We really should be there today.

Mr. Lewis: That's right. They're willing—make an offer.

Hon. Mr. Winkler: No, no—

Mr. Lewis: Make another offer.

Hon. Mr. Winkler: No, no—

Mr. Speaker: Order, please.

GO-URBAN SYSTEM

Mr. Breithaupt: A question of the Minister of Transportation and Communications: Is the minister able to confirm the report on CFTO television news on Friday evening that the

real reason for the West German termination of support for Krauss-Maffei was that is would take 100 engineers another four years and another $50 million from the West German government to perfect the system?

Hon. Mr. Rhodes: Mr. Speaker, I am not able to confirm that. I did not hear that particular report. I have never had that brought to my attention. I can say that it has been indicated that we recognize that in order to carry out the continuation of the programme there will be a substantial amount of engineering capability required but, as I have also indicated, this matter is being looked at by officials of OTDC at the present time to determine exactly what those costs may be to continue.

Mr. Breithaupt: A supplementary, Mr. Speaker: If, as the minister has said, the decision to end this programme was based on a move away from certain long-range technological programmes, how can the minister explain the fact that Krauss-Maffei is continuing with its long-range programme and it is still being funded?

Hon. Mr. Rhodes: Mr. Speaker, I believe this will probably be the fourth time that I have made these remarks in response to similar questions.

I said at the very beginning regarding the programme that was being carried on in West Germany—and I was told by the West German officials in my discussions with them—that they were withdrawing from the programmes of the Transurban programme, that is, the inner-urban service that was being proposed for magnetic levitation. At the same time, they are withdrawing their support from two other urban transit programmes that they were financially supporting.

They said, as well at the beginning, that they were going to continue to be involved in the Transrapid programme, which is the inter-community, inter-city programme. That is being continued with the West German government funding a combined operation of a firm known as MBB and Krauss-Maffei. This was the very original magnetic levitation programme that was started in Germany prior to the move into the urban programme.

Mr. Speaker: The member for York-Forest Hill.

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker is Krauss-Maffei returning two payments of $250,000 each, which were paid to it by this government, under the licensing agreement of May 1, 1973—under the licensing agreement of that date—in addition to the $10 million with respect to the demonstration system at the CNE?

Hon. Mr. Rhodes: Mr. Speaker, I would have to ask the hon. member if he is referring to arrangements that were made with a firm that was known as TUSCAN—if that is what he is referring to?

Mr. Givens: I'm referring to a licensing agreement dated May 1, 1973, under which the government paid Krauss-Maffei two payments of $250,000 each for licensing rights under that agreement. There was $500,000 paid by us for licensing rights under that agreement. De we receive back that $500,000 in addition to the payments which the government in getting back for the demonstration system expenditures which this government made at the CNE?

Hon. Mr. Rhodes: Mr. Speaker, I believe we do get that back, but I want to check on that. I am aware of an arrangement, and I am not sure whether it is the same one the hon. member is referring to, with a company known as TUSCAN, which would carry the licence capability here. If the hon. member would agree, I would get the definite information and reply, but I believe we are recovering that funding. The agreement was to terminate on Dec. 31 with that particular firm; and if that agreement cannot be reached, then we would be refunded our money. Obviously, they cannot meet the terms of the agreement by the end of the year.

Mr. Lewis: Otherwise it would be like a forgivable loan.

Mr. Speaker: The member for Kitchener.

LEAD POLLUTION

Mr. Breithaupt: A question of the Minister of the Environment, Mr. Speaker: Now that the minister has a precendent set with respect to prosecution of lead polluters with a conviction against Prestolite batteries, does he intend to prosecute the other even worse lead polluters, including Canada Metals, Toronto Refiners and Smelters, Tonnolli Smelting Co. of Canada and the Electric Storage Battery Co.?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, if the member read the paper he will know about the charge we laid. There was a breakdown at the

Prestolite plant at the time and there were heavy emissions from the plant at the time the charge was laid. Subsequently they went to court and were charged and were fined $2,000, as the member saw by the paper.

We do have control orders; we do have abatement equipment on all these companies; and they are within the ambient air quality that is set down by our regulations at the present time.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: The Chairman of Management Board or the Provincial Secretary for Social Development (Mrs. Birch)—are they in the wings, or have they, in fact, gone?

Mr. Renwick: They've flown; flown the coop.

NEW TORONTO AIRPORT

Mr. Lewis: May I ask the Minister of the Environment: Has the Minister of the Environment at any time in his capacity as minister ordered research into the quality or capacity of the lands in the North Pickering area to carry runways or cut tunnels for the proposed international airport?

Hon. W. Newman: We have some monitoring stations monitoring streams in the area right now.

Mr. Lewis: Would it be true to say that on the basis of the minister's initial findings he has learned that much of the land, by reason of production, contour and water level, is of a kind that would be unsatisfactory to an airport, despite the fact that this knowledge was not previously known?

Hon. W. Newman: As far as the environmental work that was done on the airport site is concerned, it was done basically by Environment Canada. We are doing the monitoring of streams to make sure we have all the necessary data on the matter, but basically, as far as the environmental impact of the proposed airport site is concerned this is up to Environment Canada.

Mr. Lewis: I will ask one further supplementary then: Is the minister satisfied that the findings which are now available to him from his monitoring would indicate that an airport can, in fact, be placed on that site?

Hon. W. Newman: All I can say, Mr. Speaker, to the leader of the New Democratic Party, is that we are still doing monitoring and we want to make sure that if anything does transpire there, we will be in a position to deal with it.

LAND TRANSFER TAX EXEMPTIONS

Mr. Lewis: A question, if I may, of the Minister of Revenue: May I ask what the reason was for his forgiving the land transfer tax in the case of the Kellogg Co. of Canada Ltd. in, I guess it was, London, Ont.?

Hon. A. K. Meen (Minister of Revenue): I'll get that information for the hon. member.

Mr. Lewis: Yes. By way of a supplementary, can he explain how it is that he has to grant a company of that size a $5,000 tax forgiveness to construct a parking lot? Can he explain to us how that has maintained Canadian jobs in London which might not otherwise have been maintained; how that $5,000 was pivotal to the economic security of London?

Hon. Mr. Meen: I'll bear that in mind in my response, Mr. Speaker.

Mr. Breithaupt: Mr. Speaker, I have a kind of supplementary. Would the minister provide us with the details of the other amounts that have been forgiven and the reasons for them, so that we can see that as a public record as well?

Hon. Mr. Meen: Yes, Mr. Speaker. There is a summary which I have been preparing of the exemptions that have been granted to date, the reasoning behind them and, although in my opinion it may be questionable as to whether the amount is of significance, that amount would also be established.

PETERBOROUGH BYPASS

Mr. Lewis: I just have one question of the Minister of Transportation and Communications. Has he discussed with his colleague, the Minister of Agriculture and Food (Mr. Stewart), the effect of the loss of agricultural land and farms from the proposed Peterborough bypass? Can he give the House a statement as to the agricultural consequences of the chosen corridor?

Hon. Mr. Rhodes: Yes, Mr. Speaker, a very detailed discussion was held with the minister and with other members of his ministry. The decision on that particular corridor and that particular route was based very much upon the information we received from the Minister of Agriculture and Food and his

officials. I can make available to the hon. member and the House a detailed report as to the acreage that would have been involved, whether we went to the west side or the east side of Peterborough, and the eventual moving of the corridor to its present site. I'd be pleased to provide that and I can assure the hon. member that one of our major considerations was the effect on the agricultural land.

Mr. Lewis: I would appreciate that. Thank you.

Mr. Speaker: The Minister of Health has an answer to a previous question.

EFFECTS OF MBK

Hon. F. S. Miller (Minister of Health): Mr. Speaker, further to the information supplied on Nov. 12 to the hon. member for Sandwich-Riverside (Mr. Burr), in response to a question on the effects of methyl n-butyl ketone, I would like to advise that it came to our attention during the past month that 11 employees of a coated fabric plant in Columbus, Ohio, had developed peripheral neuropathy, or neuritis, which was thought to be related to their work environment. In addition, about 30 employees showed electromyographic changes, but no clinical symptoms.

Methyl isobutyl ketone had been used as a dye solvent until one year ago, when it was replaced by methyl n-butyl ketone. The epidemiological and toxicological evidence obtained on investigation leads to the conclusion that exposure to methyl n-butyl ketone caused the outbreak of peripheral neuropathy. The use of the solvent has been discontinued.

The above information has been passed to the Workmen's Compensation Board and to the industrial safety branch of the Ministry of Labour. However, we have no knowledge of any cases of peripheral neuropathy occurring in Ontaria as a result of exposure to methyl n-butyl ketone at work.

Mr. Speaker: The hon. member for Rainy River.

NORONTAIR NORTHWEST

Mr. T. P. Reid (Rainy River): Mr. Speaker, I have a question of the Minister of Transport and Communications. Is he prepared to make a statement to the Legislature concerning norOntair air service in northwestern Ontario and is he aware of the press release concerning same that was in the Thunder Bay paper on Saturday?

Hon. Mr. Rhodes: Mr. Speaker, I do not have a statement to make to the House at this time. I believe a statement is on record of what our plan was for extending the service into northwestern Ontario sometime back. I am aware of a press release that was released by the chairman of the ONTC, which outlined the carriers that would be involved and the communities that it was intended to serve.

Mr. Reid: Supplementary, if I may: The minister is aware then that the communities that are presently being served by air carrier such as Fort Frances, Sioux Lookout and Red Lake, were not a part of that initial plan. Does that mean that norOntair will not be operating those routes, and they will therefore collapse?

Hon. Mr. Rhodes: Mr. Speaker, I question the fact that Fort Frances has been left out. I will have to look into the details of it.

Mr. Reid: It isn't in the press release.

Hon. Mr. Rhodes: I believe it probably should have been.

As far as Red Lake is concerned, our original plan had been to put Red Lake into the service. But Red Lake—the community itself and the community leaders—have requested us to leave them off the norOntair service. I believe they were concerned that it might interfere with the present service they have that runs from there to Winnipeg. We would like to have put Red Lake in; it would help, we think, the overall service. But they were so insistent upon not being included that we acceded to their wishes.

Mr. Reid: When will the minister make a statement?

Hon. Mr. Rhodes: If a statement is necessary I can make one tomorrow as to the details. I'd be quite happy to do so.

Mr. Speaker: The hon. member for Sandwich-Riverside.

ILLUMINATION OF BUILDINGS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Energy: Why is it that so many government and commercial buildings are illuminated 24 hours a day, although there is an obvious

need to conserve fossil fuels from which comes the electricity to illuminate these buildings?

Hon. Mr. McKeough: That question, Mr. Speaker, might be more properly directed to the Minister of Government Services (Mr. Snow).

Mr. E. J. Bounsall (Windsor West): This minister is the energy minister.

Hon. Mr. McKeough: I would simply say that the Ministry of Government Services, to the knowledge of the Ministry of Energy and to the minister personally, has been doing more in terms of energy conservation in my view than most other groups or organizations in this province. The deputy minister and the minister himself have taken a very personal interest in the whole subject of energy conservation. If the member goes over to the complex he'll find a lot of missing light bulbs. They are doing a great deal of experimentation.

My observation of the buildings at night is that there are considerably fewer lights on than there used to be. I presume they are on for cleaning purposes. They are not that easily switched off.

But I know that the minister, perhaps after he's had a chance to look into it just a little bit further, will be glad to give the member a very full report. I can only say that if all the citizens of this great province of ours were co-operating the way the Ministry of Government Services is, in terms of energy conservation, we would have very few problems indeed.

Mr. P. D. Lawlor (Lakeshore): Balderdash.

Mr. Burr: Mr. Speaker, would the minister now answer the other half of the question—why there are so many commercial buildings still using 24-hour-a-day illumination? Has the minister not been persuading them to discontinue?

Hon. Mr. McKeough: We haven't added to the advertising campaign which we had about a year ago now, no.

Mr. Burr: Has the minister considered using the telephone to talk to them?

Hon. Mr. McKeough: I would think there are something like 500,000 commercial establishments in this province; I can't really see our staff of 30 or 40 people getting on the telephone to them, or that it would be very much use to do so. If the member thinks so, when the day finally comes that he comes to work for the Ministry of Energy as a consultant, we will put him to work on that job and I am sure he will do a great one.

Mr. Burr: There are some very big ones downtown where one phone call could put many lights out.

Mr. Speaker: Order please; order.

The member for Waterloo North.

APARTMENT ELECTRICAL RATES

Mr. E. R. Good (Waterloo North): A question of the Minister of Energy: Has the minister had time to ask Hydro to justify their policy in that they charge the same rate for electricity for people living in highrise apartments as commercial and industrial, which is a higher rate than that for people living in single-family private homes?

Hon. Mr. McKeough: Is the member talking about apartment buildings in Waterloo?

Mr. Good: No, any of them.

Hon. Mr. McKeough: Yes, I am getting a reply to that. But specifically in Waterloo what the member should do, of course, is talk to the Waterloo utilities commission who set that rate.

Mr. Good: Yes, but Hydro approves the rate.

Hon. Mr. McKeough: Which is ultimately approved by Ontario Hydro, quite correct; but it is also a question of definition. We are getting an answer to the member's question but we haven't got it yet.

Mr. Good: Supplementary, Mr. Speaker: Is the minister not aware that the local utilities commission have no authority as to the classification in which highrise multiple units must be placed? By Hydro's direction they must be placed as commercial and industrial users, and therefore people have to pay a higher rate than they would if they lived in single-family units. That is the crux of the problem.

Hon. Mr. McKeough: Mr. Speaker, as I said, there is a question of definition, which is interpreted differently, as I understand it, by different people in different parts of the province. I recognize this is of concern to the member and we are getting a reply for him.

Mr. Speaker: The member for Huron-Bruce.

Mr. Shulman: Do they get two questions and we get one?

Mr. Speaker: I am sorry.

THERAPEUTIC ABORTION COMMITTEES

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Health: Since the Attorney General (Mr. Welch) is investigating a possible conflict of interest involving members of the Greater Niagara Falls General Hospital therapeutic abortion committee, has the minister been monitoring the abortion procedures in the various hospitals across the province by way of calling for the records of the committees and the doctors involved?

Hon. Mr. Miller: Mr. Speaker, this question of the right of the Minister of Health to monitor therapeutic abortion committees has been raised, but to this point in time I do not believe I have any statutory right to do so. However, I would rather have the question redirected to the Attorney General in terms of the legal implications.

Mr. Gaunt: A supplementary, Mr. Speaker: Would the minister not consider that section 251 of the Criminal Code would give him that authority? If not, then I will redirect the question to the Attorney General.

Hon. Mr. Miller: Although I have been reading quite a bit lately, that section doesn't come to mind immediately. I would be pleased to look at it and check.

FREE PRESCRIPTION DRUG PROGRAMME

Mr. Speaker: The member for High Park.

Mr. Shulman: A question of the Minister of Health, Mr. Speaker: Can the minister explain the mild discrepancy between the statement he made in the House last Thursday in which he said druggists would be covered for the increase in costs of all drugs by Parke-Davis, Cooper and Burroughs Wellcome who raised their prices; and the release made by his officials to the drugstores—by coincidence the same day—that says exactly the opposite? I quote: "Eligible claims for formulary drugs will be paid at the price listed in the drug benefit formulary."

Hon. Mr. Miller: Mr. Speaker, I am quite aware that my staff intended the bulletin the member saw go out, to be policy; I personally disagreed with it and changed it.

Mr. Shulman: Supplementary: When is the minister going to be good enough to let all the druggists in Ontario know; many of whom happen to believe that this bulletin is correct? It is all very well for him to say it here; when are they going to send out a correcting bulletin?

Mr. J. M. Turner (Peterborough): They know now.

Hon. Mr. Miller: They will know, certainly.

Mr. Speaker: The member for York Centre.

METRO ONTARIO HOUSING UNITS

Mr. D. M. Deacon (York Centre): A question of the Minister of Housing: Why is the ministry restricting applications for housing located in Metro to only those who reside in Metro, when in fact there aren't Ontario Housing units available in outside municipalities for which these people can apply? Why, since these are Ontario Housing units, are they not available for applicants from outside Metro as well as those inside Metro?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, the one-year residency clause is something which the municipalities themselves have concurred with, in most cases, throughout Ontario. If a municipality wishes not to have that clause, we will be willing to agree with whatever the municipality tells us in writing. We want to have it in writing as to which way the municipality wants the residency clause, whether it be one year, two years or more.

Mr. Deacon: Supplementary: Is this to encourage other municipalities to come to Ontario Housing to have units built? Is this the purpose of it? Is this to force these municipalities to do it? Otherwise those living in municipalities without Ontario Housing are out of luck.

Hon. Mr. Irvine: Mr. Speaker, this is not to encourage a municipality one way or the other. It's a matter of local jurisdiction, as to whether or not they want the year clause in, as I mentioned, or whether they do not wish this. One or two municipalities I have talked to recently decided they will not have the residency clause; others have said they would want it.

Mr. Lewis: Supplementary: When did the residency clause come into effect in Metro Toronto?

Hon. Mr. Irvine: I can't give you an exact date, Mr. Speaker.

Mr. Lewis: It is very recent, is it not? And it wasn't announced, as I recall—I just ran into it today.

Mr. Speaker: The hon. member for Port Arthur.

MERCURY POLLUTION

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker. A question of the Minister of Health, if I may: Does the minister know how many people from the Kenora area Crown Attorneys have been referred to the Lakehead Psychiatric Hospital for assessment before sentencing, and can he tell us how many of those people have been tested for mercury poisoning in terms of evaluating their behaviour and actions?

Hon. Mr. Miller: No, Mr. Speaker, I cannot; but I would be pleased to look into it.

Mr. Speaker: The hon. member for Downsview.

SOUTH MILTON DEVELOPMENT

Mr. V. M. Singer (Downsview): Mr. Speaker, I have a question of the Minister of Housing. Is the minister yet able to tell us the exact role played by Gibson Willoughby in the land assembly at Milton? If not, when does he exepect that information to be available?

Hon. Mr. Irvine: Mr. Speaker, I am not able to tell the House at this particular time. I left word with my staff to look into all of the related matters that I mentioned Friday morning. I am hopeful we will have it this week. I wish to discuss the matter also with the company. I will make a full report.

Mr. Singer: By way of supplementary: While these investigations are going on, could the minister inquire as well whether or not in fact Gibson Willoughby negotiated the purchase of some 250 acres of land from a father and son who were both farmers, which two gentlemen apparently had the land listed for $1,500 an acre with another real estate agent and had no buyers? Then Gibson Willoughby, I guess as a service to the community, came along and convinced them they should accept $5,500 an acre.

An hon. member: Fine people.

Hon. Mr. Irvine: Well Mr. Speaker, certainly I'll look into that and any other related information.

Mr. R. F. Nixon: Yes, it has a ring to it all right.

Mr. Speaker: The hon. member for Windsor West.

APPEARANCE OF WCB

Mr. Bounsall: A question of the Chairman of the Management Board of Cabinet, Mr. Speaker: When and before what committee might we expect the Workmen's Compensation Board to appear this fall, as specifically required by the last Workmen's Compensation Act, which we passed last December?

Hon. Mr. Winkler: I am aware, Mr. Speaker, that it is covered under a separate Act for separate consideration, and I will make arrangements for that to be called.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: Thank you, Mr. Speaker. A question of the Minister of Colleges and Universities—oh, I'm sorry—

An hon. member: He's disappeared.

Mr. Good: He's disappeared. Where is he? He was there a minute ago, Mr. Speaker.

Mr. Speaker: The hon. member for Parkdale.

PRACTICE OF PSYCHO-SURGERY

Mr. Dukszta: A question of the Minister of Health: Could the Minister of Health tell the House whether psycho-surgery is still being done in the Ontario Hospital system? If it is, how many times has it been done in the last year? Third, what is his own opinion of this so-called therapeutic procedure?

Hon. Mr. Miller: Mr. Speaker, I can safely say that psycho-surgery has not been performed in the Province of Ontario in the past year. If it has been, it has not been reported to me. I asked that question recently and got a negative answer.

I got information on the number of cases of psycho-surgery that had been performed and some appreciation of the results. As to my opinion, I can only give the member the opinion of people who have advised me, since I am not able to make any other appreciation

of it except to say that psycho-surgery is deemed at the present time to be a very dangerous type of procedure, to be embarked upon only under very serious conditions and only after a complete review of the case by a series of psychiatrists and surgeons not involved in the actual procedure or diagnosis.

Mr. Dukszta: Supplementary, Mr. Speaker: Did the minister say that he got reports from all psychiatric hospitals and general hospitals?

Hon. Mr. Miller: Mr. Speaker, I can't say my reports were all-inclusive. I can only say that we checked through the Ontario Hospital system, those hospitals which we operate. The information given to me, and I have assumed it is correct, stated that psycho-surgery had been discontinued. I believe the great bulk of it was done in Kingston.

Mr. Speaker: The member for High Park. I allowed two questions for the official opposition so I am going to even it up by allowing two here now.

SOUTH TIMISKAMING HOSPITAL SITE

Mr. Shulman: I have a question of the Minister of Health, Mr. Speaker. Why did he override the local people in south Timiskaming, and the hospital board, in choosing the site of the hospital in that area?

Hon. Mr. Miller: Is the hon. member changing his seat in the next election?

Mr. Shulman: I may take that one too.

Hon. Mr. Miller: Mr. Speaker, you don't overrule a hospital board lightly. I had received the advice of the Timiskaming Hospitals Board, back in June, of a vote of 9 to 6 recommending that a new hospital be built in the town of Haileybury. That conflicted with a consultant's report, commissioned by that very hospital board, which said that the site which I eventually chose should be chosen. That was the original study of the consultant. The consultant had changed his recommendation after being requested by the hospital board to review it.

I did receive advice from the people in that area and from staff, but I looked at the vote. The nine people lived in one town and the six people lived in another. It seemed to me there was a basic rivalry between those two towns.

Having looked over not only the consultant's reports but other independent reports, I personally changed the decision. Having done that, I was visited by a number of delegations from the area, led by the mayor of Haileybury, and I relented to the point of going to see the sites myself. I did so and I said I would make a decision within a week or two. That was delayed by a number of things, including a statement by the chief coroner of the province that the access to the site I had recommended or chosen was not good.

Following that piece of advice, I asked the Ministry of Transportation and Communications to look into the matter and both the deputy minister and the minister personally visited the site and prepared a technical report for me, saying the site had the best approach in the area. On that basis, I reaffirmed my original decision.

Mr. Shulman: Supplementary, Mr. Speaker: Is the minister aware that of the 9-6 vote not one of those 15 approved of the site he has chosen? Second, is the minister aware that the consultant of whom the minister spoke, as mentioned has himself placed the site the minister picked fourth in order of acceptability of all the sites considered?

Hon. Mr. Miller: I think, Mr. Speaker, the hon. member had better read more of the background information.

Mr. Speaker: The member for Waterloo North.

Mr. Lewis: The minister is making a great many decisions these days, isn't he?

Mr. Shulman: There goes another seat.

An hon. member: Where is the local member?

An hon. member: What does the local member have to say about that?

Mr. Speaker: Order.

TRUCK LOAD COVERS

Mr. Good: Thank you, Mr. Speaker. I have a question of the Solicitor General. When are police departments going to enforce regulation regarding the covering of gravel trucks, which I understand were put into effect earlier this year; especially on Highway 401 and other main highways?

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, those regulations have been in effect for longer than a year really.

Mr. Good: There isn't one covered yet.

Hon. Mr. Kerr: I must say I have had reference to the fact that somebody in the London area was charged just this past weekend with hauling a load of corn and not having a tarp on his truck.

Mr. Lewis: That was a farmer.

Hon. Mr. Kerr: I was under the impression the law was being enforced. If it is not being enforced in the hon. member's area I'll look into it.

Mr. Good: Supplementary, Mr. Speaker: I am sure no one is as greatly concerned about corn as they are about gravel. I personally have made a count in the last two weeks. I have seen just one gravel truck on Highway 401 with its load covered by a tarpaulin. That was a trucker from Markham. Those trucks which do have covers available have them folded neatly up at the front of the truck; they are never pulled over the load. The rest of us following behind have the gravel blown off—

Mr. Speaker: Question please.

Mr. Good: What is the minister going to do about it? It has been going on for years.

An hon. member: Blow the whistle on them.

Hon. Mr. Kerr: Mr. Speaker, I agree with the hon. member. We have a number of quarry operations in my riding. I know it's a problem there and—

Interjections by hon. members.

Mr. Speaker: Order please; order.

Hon. Mr. Kerr: I will look into it. My colleague, the Minister of Transportation and Communication, tells me he is bringing in new regulations. But as the hon. member will say, it's a matter of enforcing what exists at the present time. I will do what I can. I know that there are a number of short hauls. For example, some of the trucks don't necessarily reach a main highway or King's highway, but—

Mr. Breithaupt: There are thousands of cars on Highway 401.

Hon. Mr. Kerr: On Highway 401; right.

Mr. Speaker: Order please. The member for Sandwich-Riverside.

SOLAR ENERGY

Mr. Burr: Mr. Speaker, a question of the Minister of Housing: How long has Ontario Housing been conducting feasibility studies on the use of solar energy to heat or help heat homes?

Hon. Mr. Irvine: How long have they been? Mr. Speaker, I made a report to the House last week on this particular feasibility study. I will find out the exact dates. I can't tell the hon. member offhand as to when we started, but I will find out.

Mr. Burr: A supplementary question, Mr. Speaker: Is the Ontario Housing Corp. promoting the use of heat pumps in new housing?

Hon. Mr. Irvine: I will also investigate that report.

Mr. Speaker: The member for Huron-Bruce.

ADMINISTRATION OF JUSTICE IN HURON COUNTY

Mr. Gaunt: Mr. Speaker, I have a question of the Attorney General: In view of the fact that plea bargaining might be delayed and lenient sentences appear to have got out of hand in Huron county, would the Attorney General institute an inquiry into the administration of justice in the county?

Interjections by hon. members.

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, the members for Huron-Bruce and Huron (Mr. Riddell) raised this question in the House two or three weeks ago, and indeed have been kind enough to discuss some details with me by way of notice.

Indeed, as well, three newspaper clippings concerning the administration of justice in the county have been brought to my attention and have indicated the concern of those particular journals with respect to an inquiry as well.

The member for Huron-Bruce, as recently as Friday, did furnish me with particulars concerning four specific incidents which are said to reflect the need for the inquiry to which he made reference.

If I could have permission, I would like at this time just to make a brief response. I have examined these allegations and I have obtained a full report concerning the ad-

ministration of justice in Huron county. Both the local Crown attorney and the local provincial court judge are able and experienced men. They have served well in their respective capacities for a number of years. I have found nothing in their conduct to support any request for such an inquiry.

I don't find, as a matter of fact, that there has been any undue leniency in the disposition of cases by the court or that the court has failed to support its law enforcement officers. Two of the specific incidences to which reference was made by the member for Huron-Bruce, were cases in which the Crown attorney quite properly withdrew charges, because there was no evidence to support those charges.

Another incident involved charges of theft, possession and assault against three persons, in which one person only was convicted of one charge of assault. In this case there was no evidence to support the charges of theft and possession, and no evidence to support the assault charge against two defendants who were acquitted.

The fourth incident concerns a matter in juvenile court arising from a fire which resulted in damage of about $30,000. That matter has not yet been disposed of and the juvenile involved is presently a patient in the Goderich psychiatric hospital. The Crown attorney is alleged to have said that the matter was not worth pursuing; I am assured that he made no such remark.

It has also been alleged there have been no convictions in the Supreme Court since the present Crown attorney assumed office. This is not true. It is true that there have been no convictions for murder during this period; the only two murder trials having resulted in acquittals. However, there have been convictions for attempted murder and being an accessory after the fact to murder. There have also been convictions for criminal negligence causing death and for rape. Another alleged murder was disposed of in juvenile court after the Crown attorney attempted unsuccessfully to move it into the Supreme Court.

Huron county certainly is not a high crime area, Mr. Speaker, and I think the local Crown attorney and the provincial court judge, along with most of the local law enforcement agencies, can claim credit for this. Whatever problems may exist do so on a local law enforcement level and are not the result of undue leniency in the courts.

The local Crown attorney at all times stands between the police and the public. He advises the police concerning the laying of charges as well as about other matters. However, when he, as a law officer of the Crown, encounters a case where the charge laid by the police is not supported by the evidence, it is his duty—and I underline that, Mr. Speaker—it is his duty to see that the accused is not convicted of that charge. So far as I have been able to determine, that is all the local Crown attorney in Huron county has done.

Mr. Gaunt: A supplementary, Mr. Speaker: Would the Attorney General consider that a 14-month delay is normal?

Hon. Mr. Welch: Mr. Speaker, I am quite satisfied—and I know the hon. member has been kind enough to give me particulars without involving any people—following a very extensive review of all of these matters and other matters over the weekend, that there is no justification for an inquiry into the administration of justice in Huron county.

Mr. Speaker: The time for the question period has now expired.

Petitions.

Presenting reports.

Hon. Mr. Snow, in the absence of Hon. Mr. White, presented volume 1 of the public accounts for the year 1973-1974.

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

Clerk of the House: The 10th order, resuming the adjourned debate on the motion for second reading of Bill 82, An act to amend the Corporations Tax Act, 1972.

CORPORATIONS TAX ACT
(continued)

Mr. Speaker: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): When we quit the last day, having launched into the midst of this piece of legislation, I was inveighing against the schizoid personalities of the departments of government over there, namely that in a wide range of the legislation directly touching the mining interests of this province, we find a part of the legislation coming up under the Mining Tax Act, and the balance of the legislation before us today in the corporations tax bill.

That is unacceptable, and I wish the minister would bring some weight to bear to end this particular special pleading and hiving-off of special interests into one area of government, which has no particular competence in the matter and which in any event is a severe breach of the discretions and jurisdiction that have been precisely reposed of fairly recent date in this particular minister. It's his job to look after the revenues in all their amplitude in this province; and for some reason, which is not all that mysterious, he doesn't do so. I think that should be changed. I suspect there is no other jurisdiction on the face of the earth that permits that bifurcation of functions and responsibilities as they exist in this province for historical and other reasons.

Under this particular head I wonder if the minister would have an opportunity, coming into Christmas, to take a look at H. V. Nelles' book on the "Politics of Development," which has been recently published here. It is an analytical history of the resources field, both timber and mines, as to the incidence and reception of taxes in those fields, where the weight fell and what motivations were exercised by succeeding governments, Liberal and Tory, down through the centuries over this particular area of taxation. I think it will be an eye-opener.

Nelles is not a wild-eyed socialist; on the contrary. But I think the fundamental lesson that he has been able to disinter from that mess of pottage is that the government of this province, instead of governing on behalf of the whole people, exists so far as these industries are concerned, and so far as the government itself is concerned, in a subservient role, acting as a servant to the mining and timber interests and has done so time out of mind. He shows what the manipulation is, down, as I say for almost 100 years now, and particularly since 1900, precisely what way these people have been able to bring the government to serve their own self interests. They don't want government interference, but God bless the government if it serves whatever they wish it to do and interferes on their behalf, but if it interferes in any other way then it's anathema and can't be accepted.

To get back to the legislation and its precision, the minister proposes to do a number of things. The fact that he is doubling taxation under this particular head—not precisely under this particular legislation, although he goes some distance in that way—is a move very much to be accepted and affirmed by this party. We've long asked that that be the case. We've pointed out the virginal field that exists in the mining industry with respect to resource revenues for the province. Now the government has come to such a poor pass in its overall financing—with its various axioms of cash in, cash out, cash flows and all the various forms of subterfuge that are presently used over there in order to hide its true position—its crying need of more money without hitting the taxpayer, particularly as we are coming into an election year, is so overwhelming that is has to turn to resource industries as its final benison. Necessity is not the mother of invention, but it certainly helps the Treasury funds in the Province of Ontario. To that extent, under duress or however it may be, the minister has come to that insight himself.

Henceforth, mining taxes and royalties will no longer be deductible from the taxable income. That was the slick little manipulation that used to be pulled. Any taxes they did pay were automatically deducted from the corporate income tax and therefore they ended up paying very little. We all take that with a grain of salt, let's put it that way; because we feel that the taxable profits of mining corporations, after the mining assessors have finished with their innumerable and sleight-of-hand deductions, are sufficiently reduced not to give all that benefit. But let's give the devil his due, and to the extent that this legislation goes in refusing that deduction henceforth, it is all to the good.

I mentioned the depletion allowances the other day—just briefly we'll recount it again—and sought to bring some pressure upon the mind of the minister with respect to the Carter recommendations under this head, which were, as I say, extremely well reasoned. They set terror in the hearts of the mining industry admittedly, but from a penetrating social point of view, from the point of the whole citizenry, they had enormous merit. The federal government moved in on the same area, of fairly recent date, in a way quite different from this government. I find some internal contradiction in the minister's position.

The federal government is going to restrict the depletion allowance to operators after Dec. 31, 1976, and it must be earned by actual capital expenditures in mining processing in mining towns. This is still a tax concession, but it puts some strings on the gift. Succeeding Ministers of Finance used to encapsulate revenue, and at the same time have taken the stand that they would not tie this depletion allowance to the rolling back of the moneys thus saved into further exploration. The minister has always taken that position.

But the proposed depletion rate of 33⅓ per cent is among the highest rates in the world. Surprisingly, the Ontario government, in its white paper on tax reform in Canada, issued in 1970, suggested that unconditional depletion be limited to 15 per cent and that a further 10 per cent be granted to companies processing materials in Canada or undertaking further exploration and development. This is located on page 37 of that document. Again, with this 33⅓ per cent depletion allowance, the government is certainly running contrary to its own proposals as outlined in that particular document. We still might have misgivings, but a 15 per cent right is far closer to equity than the present one.

The minister well knows the enormous impact being made in the United States Senate and House with respect to the depletion allowances over there. There are bills presently pending and some of them—well, not under Ford, but under a future government—very well may go into effect, severely cutting into this particular form of largesse and ripoff that takes place touching depletion allowances. In other words, the thing is at this time stirred up in the United States, where depletion allowances run rampant and have done so for a long time. I think some of the stirring might spill over the border. Some of the good things might come over her as well as some of the bad, and the minister's attitude with respect to this particular area of basic handout would be altered in the next budget and in time to come.

It also applies with respect to gas or oil—there is a 33⅓ per cent depletion as stated in the budget's position paper.

Further on in the bill there is a section having to do with the mine and mill allowances which were previously allowed in computing capital tax—they are to be no longer allowed. Again, that's moving into the area in a way which we find appetizing.

On the whole, though, even with the $50 million increase in mining revenue, it raises the total contribution of the mining industry from 1.1 per cent of the total provincial revenue to 1.6 per cent. I don't say that time should stand still, but it ought not to move, all that much backwards. If the minister takes a look at that book of Nelles that I told him about, there was a time in the history of this province when mining revenue by itself represented a good 28 to 35 per cent of the total revenue of the province. Now, there are other modes of taxation, of course, that have come to the fore since that day. Nevertheless, what a falling-off of my countrymen with respect to the—and for the government to pretend that 1.6 percentage of the gross revenue is anywhere commensurate with the benefits derived from this billion-dollar profit industry in the province of which it gets about $150 million is hardly to the point. That field remains wide open. If the inflationary press is felt to be that great, then I would suggest that the government take another look at the situation.

The allowance on exploration—first of all, the preproduction expenses are now going to be allowed, which cuts in a little bit to the government's more incisive stand. In other words, it gives away with its left hand a little of what it gets with its right. But such is the nature of the beast, and if it had three hands, it might be able to do the people of this province some good in this field.

The section in here applies only to corporations which are not in the mining business—non-principal mining corporations. My understanding on that score, and I would like the minister to confirm that, is that this is acceptable. Of course, it has been long in effect and is thoroughly applicable to existing mining corporations that they may make these deductions with respect to their exploration expenses from their income in full, as has presently been granted to the non-mining corporations. This is going to cost us about $50 million in the process of doing that, according to the budget statement, and I find that I wonder, really, in the absence of the government as a Crown organization at least making some penetration into the mining field on its own hook—in order to garner in the resources here to the people, if the government expects and to what extent it would anticipate that the non-principal business corporation will march into this area on the basis of the bait that it has held out to them in this particular legislation.

The third great area that is covered under the Act has to do with small businesses. As I said, it is a long, much overdue and longed-for movement into a field where the big boys have always got a rake-off and the benefits, while the small businessman of Ontario has been ignored and put down, and whatever he may say has gone by the board.

I suppose we can wait upon the day and watch the situation. Since this legislation went through back in April, has the minister had any indicia or any signs at all in the heavens as to it beneficially affecting small business corporation in any way? Is there any way of telling whether this has stimulated that particular area of industry upon which

we are extremely reliant, and will be increasingly so, as we try to develop our secondary industry, particularly arising out of rescurce development?

Within the bill a small business is a privately held Canadian-controlled corporation that qualifies for the lower federal corporate rate of 25 per cent; that is, 20 per cent of it in manufacturing or processing on the first $35,000 of profit. They lose the qualification after $400,000 of profits have been earned since 1971, unless they have paid out these profits by way of dividends. The tax credit will be equal to five per cent of the increase in taxable paid-up capital allocable to Ontario over the previous high. The maximum credit available is limited to 50 per cent of Ontario income tax payable, up to $3,000 annually. Unused credit may be carried forward five years, subject to the limitation that the corporation still qualifies for the federal small business deduction. There is some difficulty in this legislation in tying it in with the federal government, I believe.

The second area is as to whether it will mean more jobs on the whole and as to our being able to justify that over against the loss of revenue incurred in bringing the legislation into being. On the whole, nevertheless, the small business tax credit has merit, and I would say nothing detrimental about the thing as it now stands.

Entering the area of VICs, the venture investment corporations, this is also a feature written into this legislation to assist small businesses. As the budget statement puts it, it says that there will be a flow-through of funds and the corporation itself will not have to be taxed if it qualifies as this precise kind of new corporation, and that the tax would take place in the hands of the recipients at the end of the day. The tax in the hands of recipients would be by way of interest rather than dividends, and I would like the minister to explain the difference to me. I would have thought, with the knowledge I have of taxation matters, which isn't much, that the dividends do enjoy a prerogative or lower rate of tax worked into the income stream, and that to take it by way of income, far from acting as an incentive to investment by individuals in this kind of corporation, would act as a detriment.

Perhaps the minister would spend a few moments explaining the benefits as he sees them, because the budget statement on page 12 says that the tax treatment of mortgage investment corporations will "encourage the flow of funds into the residential mortgage market from small investors . . ." The same type of reasoning applies in the one as in the other. My guess is that with mortgage investment corporations, not very much has been added to the mortgage market in Ontario by way of funds. I certainly would like to know the impact of that in practical terms. When a corporation has a flat capital tax rate of $50 and is accorded the privilege of not enough being taxed so long as these funds flow through in this particular context, I think that some unequivocal social benefit that stands out and can be detected should be seen.

It strikes me that most individuals who have got a little extra money and are investing in the mortgage market do it on an individual basis, almost as a one-to-one relationship, or through their solicitors or through real estate corporations that have licences in this field, and through investment corporations. But I would like to see some figures and some indication of the growth, and the capital potential of corporations of this kind, again since many months have gone by since this legislation came through. It is in this area that the budget statement makes the particular reference that the investors will derive their usufruct by way of interest rather than dividends. It puzzled me as to how that was more beneficial in order to encourage investment in this particular field, as the statement claims that it is.

The rest of the legislation here has some petty points. There are nice distinctions. There are things that must be pointed out in committee. But it need not take up the time of the House on second reading except for one final point. Subsection 7 of section 11 makes the section having to do with MICs retroactive to Jan. 1, 1972. I can't for the life of me, see how dating back the legislation would have brought or could have brought or would bring or by any stretch of the imagination makes a visitation of extra mortgage money into those funds. Either they had the money or they were given the money. The fact of dating it back certainly doesn't give any encouragement or serve any purpose. If the money was already there, what benefit does the legislation confer upon individuals who put it there? Those are the basic thoughts of this party, at least as flowing from myself on this legislation.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, I only have one brief comment on the bill, if I may make it. It is really a procedural matter more than anything else.

I take it from the minister's comments in response to the query put by my colleague that he will not be assuming any respon-

sibility for discussion of policy matters with respect to the impact of the charges in the Corporations Tax Act on the mining industry; but that that matter is best dealt with under the aegis of his colleague, the Treasurer of Ontario (Mr. White), when the bill comes through. I take it, therefore, that those sections of the bill which is before us today. bearing upon the mining industry, are really correlative to the policy decisions which are implicit in the budgetary address of the Treasurer and now will reflect it in the Mining Tax Amendment Act which will be introduced by his colleague's ministry and not by this minister.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. minister.

Hon. A. K. Meen (Minister of Revenue): Thank you, Mr. Speaker. Referring to the comments by the hon. member for Riverdale first, I would say, yes, I think that's essentially correct. They are correlative to the amendments proposed in Bill 111. I think that's the number of the bill introduced by my colleague, the Treasurer. I think it is scheduled for debate later on this month when he returns from the Middle East.

I wonder, Mr. Speaker, since members, particularly the member for Lakeshore, have dwelled on a number of the items in this Act, whether it wouldn't be just as well for me to review some of the principles in the bill in a few words. In that way, I can pick up most of the points the member for Lakeshore raised.

To begin with, sections 2 and 3 deal with the disallowance of the deduction from income of mining royalties and mining taxes; section 2 dealing with mining tax and section 3, I believe it to be, dealing with the repeal of the deduction of mining royalties. Presently, as the hon. member knows, the Act specifically permits the deduction in computing business income or property income of an amount in respect of provincial and municipal mining taxes based on the operating profits of a mineral resource operation anywhere in Canada. However, there are no deductions permitted for taxes paid to other jurisdictions. I might say, although not specifically stated, the deduction is permitted of mining royalty taxes based on the production from a mineral resource and expense paid out to earn a business or property income.

Now, the reason for the amendment, as I understand it from the Treasurer, is to implement the proposals. These proposals were in the Treasurer's budget statement with respect to taxations of mines. Among other things, he proposed that the deduction of mining taxes and royalties for corporate income tax purposes be discontinued with the result, of course, that the taxable income of mining corporations would increase.

I was impressed to hear the comments from the hon. member that he and his party endorse this increase. We think it is appropriate that some of these deductions should be removed.

I will go on to section 4, which establishes the uniform 33⅓ per cent depletion allowance in respect of oil, gas wells and of course, with respect to mining resources. I think the hon. member at that point in his comments was referring to Carter, and perhaps to some of our own views expressed at other times.

I think he should bear in mind though that the faster the write-down, the sooner the depletion has been completed and, therefore, the sooner the province begins to recover a very substantial amount of revenue. It is not as if we were giving something away; we are simply advancing the time within which the expenses incurred in bringing an oil or gas well into production, or mining resource into production, can be depreciated. From there on, with the depletion allowance having been used up, then the full tax would be payable—and that would occur after a three-year period.

He didn't mention the straddling of the April 9, 1974 period. I might just mention that this amendment does apply to corporations for all fiscal years ending after April 9, 1974. But for fiscal years that end after April 9, 1974, that include that date – in other words, for fiscal years that straddle April 9, 1974 – there are transitional provisions in section 11 which provide for proration of the amount of any increase or decrease in the income resulting from the enacting of the uniform rate.

With the repeal of the three-year tax exemption for mining companies set out in section 6, I think I might just mention that the Act as it presently stands provides that:

> Income derived from the operation of a mine shall not be included in computing income of a corporation during the 36-month period, commencing with the day the mine came into commercial operation.

The reason for the amendment is to implement, again, the proposal in the budget statement to increase the income tax revenues from the mining industry by abolishing this

three-year exemption period. For a corporation whose mine commenced production after 1969, but before 1974, the exempt income will terminate as at Dec. 31, 1973. For a corporation whose mine commenced production after 1973, there is going to be no exempt income period.

I missed one point, in reference to section 5 because the hon. member for Lakeshore did refer to exploration deductions here in Ontario. I want to touch on that for a moment. Section 63(3) of the Act, if the hon. member wishes to refer to that, presently limits the amount a non-principle business corporation can deduct in computing income for a fiscal year in respect of Canadian exploration and development, and it was felt that it was appropriate to encourage exploration here in Ontario and that we should have these special allowances for such deductions.

I am advised, incidentally, that I may have been slightly in error in advising the members with respect to the impact of section 4, as the allowance for oil, gas and mineral resources of 33⅓ per cent is not necessarily used up in three years. It applies each year to the profits themselves.

Mr. Lawlor: Oh, I see. It is not depreciation, it is appreciation.

Hon. Mr. Meen: Well, in that case it is essentially a very significant incentive to the companies to get on with development work, of course.

The hon. member dwelled at some length, both in his opening comments and later on, on the small-business incentive deduction for companies eligible under section 125. I want to touch on that for a moment, too.

The intention of the amendment is to provide tax relief that is related to growth to all-Canadian corporations qualifying for the small-business deduction under the Income Tax Act of Canada. He asked if we had any particulars on this matter. I do not know whether we have any available, but when this matter goes to the standing committee on legal administration of justice certainly if we have any such information I will be pleased to give it to the hon. members at that time. I don't have any particulars currently.

Also the hon. member referred to mortgage investment corporations. I am advised that there are three to date of which we are aware. I may have more particulars later but I understand there are only three, and these were under the Loan and Trust Corporations Act, and are classified now as mortgage investment corporations. They were all federally incorporated corporations; so far as I am aware there are no provincial incorporations to date. Two of them, are Artio Mortgage Investment Corp. and Fidmore Mortgage Investors Corp. I am told that both of these have initial capitalization of $1 million, which is the minimum provided for under the Act, but no shares have been issued and there are no borrowings to date, and I am told also that the companies would appear to be inactive. The third and last one is Morguard Mortgage Investment Co. of Canada, with an initial capitalization of $20 million. I am told the company is active, but we have no information as to the extent of its activity.

The member also asked about the retroactivity dealing with this section, and I am advised that section 11, sub 7, which deals with the effective date of these various sections in the bill, does go back to Jan. 1, 1972, to pick up federal companies formed under the federal legislation which took effect on that date, and it was therefore appropriate to make that retroactive. Although at the time when we drew the Act we had no idea what companies there might be, it seemed appropriate to us to make it retroactive to the same date to pick up any companies that might have come in at that time.

The member also directed some comments in reference to mortgage investment corporations, to the flow-through provisions, and I can give him an illustration now if he would like, or we could wait until later. I think it's pretty clear, though, that the effect is to get the income into the hands of the shareholders of a mortgage investment corporation as though they were investing in a non-corporate structure, where the corporation pays no tax but where the money flows through into the hands of the shareholders. They receive the money deemed to be interest in their hands rather than dividends, and they receive it at their normal personal income tax rate.

I could give the hon. member an illustration of the tables and comparison of the figures. If we compare the net income tax payable all down through the line by the company if it were a conventional corporation, and then the personal income tax payable by the individual, with his 20 per cent allowances and so on, it would indicate that if we take the corporate shareholder as having a personal tax rate of, I think we assume something like 40 per cent. Let me just see how my illustration does work out. I think

that was the rate, since that's reasonable. I think that was the figure—

Mr. Lawlor. Yes.

Hon. Mr. Meen: —that we took in our illustration, which I can give the hon. members. There is a net tax reduction on a $100,000 investment of return of some $1,852 in the illustration, which has a benefit, under the mortgage investment corporation type of structure, to the shareholders over the amount of tax they would pay were it a conventional corporation. So there is some incentive to use this structure.

If we are taking a 40 per cent assumed rate, it doesn't appear to be large but it's probably a realistic figure, to assume that the person with a lesser end rate on his income perhaps would not likely have money to put out on such investments. Others, with higher rates, might have their money out in other areas. In any event, if we were to raise the assumed personal income tax level of the taxpayer from that 40 per cent estimated figure to 52 per cent, which is the amount a normal corporation would pay, then there would be no advantage to a mortgage investment corporation as I understand it, but it is therefore an advantage to the investors in the smaller income brackets, where their end rate would be around 40 per cent.

Mr. F. Laughren (Nickel Belt): Well, we could discuss this further in committee.

Hon. Mr. Meen: Yes. The hon. member also talked about the venture investment corporations which had been mentioned in the Treasurer's budget statement. They are not picked up in this set of amendments. I am advised that we are waiting until the federal structure has been established in order to know how to draw up our own amendments and that, premising that the federal amendments are accomplished perhaps this fall, then our appropriate further amendments to the Act would, I am told, be ready for the spring session.

Mr. Speaker, that covers my comments as I feel appropriate at the moment. I hope I haven't missed any points that were raised by the members opposite. I think it covers the major points they raised, and when we have completed this debate I will be pleased to—

Mr. Lawlor: When is the minister going to take over the mining tax; the timber tax?

Hon. Mr. Meen: Oh, yes, the member did raise the point and I intended to dwell on that. Excuse me for the oversight. I wish I perhaps had a little more experience in this ministry to understand the reasoning behind some of the taxing statutes not being in the Ministry of Revenue where others are.

Mr. Laughren: Oh, come off it.

Hon. Mr. Meen: It would appear that the reason for the mining tax legislation being other than in my ministry deals with the technical expertise required in the analysing of the returns.

Mr. Renwick: The minister would be too tough. He would be too tough.

Hon. Mr. Meen: I have no idea whether it's proposed to alter that at any time, but I think Bill 111 by the Treasurer picks up the other end of things, and at that time the members opposite will be able to debate with him the principles behind the amendments to that Act.

Mr. Speaker: The motion is for second reading of Bill 82. Is it the pleasure of the House the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this is to be referred to the standing committee of the administration of justice.

Agreed.

Mr. Speaker: I understand the minister who was on next is about to come in.

Clerk of the House: The seventh order, second reading of Bill 72, the Education Act, 1974, hon. Mr. Wells.

Mr. Speaker: There will be a slight delay, it seems.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it was understood that we would go on to the second order and complete it, I think, before Bill 72 was called. So that if we could—

Mr. I. Deans (Wentworth): The third order.

Mr. Breithaupt: I am sorry, the third order, rather. We could proceed with that, I believe. It will be fairly brief—if that was wished.

NOTICE OF MOTION NO. 4
(concluded)

Clerk of the House: The third order, resuming the adjourned debate on the motion that this House confirms the order made

under the Niagara Escarpment Planning and Development Act, 1973, and filed as Ontario regulation 118/74.

Mr. Speaker: As I understand it we had the debate on this motion the other day, and then it was referred to the standing committee. Any questions were to be resolved there, and it was just a matter of placing the motion. Am I correct in that?

Mr. Deans: No, no. I don't want you to be labouring under any misapprehension.

Mr. Speaker: I am just asking a question.

Mr. Deans: That wasn't the agreement, not exactly that. The understanding was, as I recall it, that there would be an opportunity made available to members of the Legislature who are interested to meet with officials of the ministry, and other parties who might have information on the Wednesday immediately following the debate, and that we would then return to the debate. It was explicitly understood that there would be an opportunity for further discussion if that were required after the meeting had taken place.

I would like to avail myself of that additional opportunity, because there are some things that I want to say. I don't want to repeat anything I said the other day, because what I said the other day was said without the benefit of the meeting with the officials and the members of the escarpment commission. I am not much wiser now, Mr. Speaker, than I was on the day that we first debated the order.

The decisions that we are being asked to affirm with regard to the defining of the Niagara Escarpment planning area boundary were made by the ministry—or, I suspect, by the commission—with knowledge which is not available to us. They have at their disposal the designated areas that are going to be used by the ministry to preserve those parts of the escarpment which it deems are worthy or necessary to preserve. I want to suggest to you that it's extremely difficult for us to make a judgment on the value of the Niagara planning area without having the knowledge of what it is that the commission and the government are prepared to preserve in the interim period.

Between now and the day that this final planning area is defined and the integration takes place between the various municipalities within the Niagara escarpment, and the overall plan which the commission is going to be empowered or required to establish, between this day and that, quite a number of changes are going to take place in the escarpment. The one thing that I found out from the discussion I had in which, I believe, five of the members of the Legislature took part, was that the designated areas, as designated by the ministry, have no set criteria attached to them; that there would be no way for anyone to try to determine in advance what the designated areas are likely to encompass; that any thing that falls outside the designated area will be subject to whatever changes the owner deems are desirable; that any amount of additional development could take place along the escarpment as long as it doesn't fall within the so-called designated areas. So the overall escarpment plan will be rendered useless by the fact that any amount of development could quite easily take place between now and the time that the plan finally comes into force four or five years from now.

I asked the ministry officials if they could give me an indication as to what the criteria were going to be for the designated areas, or if they could perhaps give me a couple of examples of designated areas so that I would understand what it was that we were about to save. I asked why it was that we didn't establish the escarpment face as a designated area in toto and a portion of the escarpment above and below, simply to ensure that after the plan was completed, there would be something left for the escarpment commission to use by way of saving the escarpment for future recreational and natural purposes.

I am persuaded now that I think it's unfair for the minister to ask us to pass this resolution. I think it's unfair for the minister to ask us, as an act of faith, to simply pass the resolution in order that he can go ahead and establish the designated areas, because I don't think that's my responsibility as a member of the Legislature. I don't think I would be properly exercising my duty as a member of the Legislature if I were to pass this particular piece of legislation and these regulations, simply on the say-so of the minister and his officials, without knowing fully what it was that was behind them and how the regulations would affect the people I am supposedly representing here.

I don't know what in Saltfleet township could possibly be left out of the designated area. In fact, I don't know what in the whole of the Niagara Escarpment or the whole of the Niagara Peninsula could possibly be left out of a designated area. And yet I suspect —and you will pardon me for being a bit suspicious, Mr. Speaker—that there are some developers in the area who are rather eager

to have their lands left out of those areas that are designated by the ministry for planning purposes. I suspect that there will be tremendous pressures placed, and I have to trust the minister and his officials to exercise their office judiciously to make sure that they don't give away more than they preserve. That's too difficult a task for me to have to undertake. I can't do that. I couldn't, in good conscience, place all of the trust that is required in the officials in the ministry to come up with the right designated areas at any given time.

I think that before we were asked to vote on this, the minister should have filed with the House his plan for areas that are to be designated immediately as being not to be developed and a set of criteria to be used by his ministry in determining what future areas would be considered as not to be developed. I think we should have had clearly set before us what areas within the escarpment may well be permitted to be developed. More than that, we should have had set before us very clearly what compatible development really means.

Let me just tell you that as I think of the escarpment and the areas of the escarpment that I know well—and I walk on it regularly—I can think of areas that in themselves should be set aside as being designated areas for purposes of saving it. But I can also think of areas adjacent to those which, if they were permitted to be built up, it would destroy the value of the piece that was being saved. This piecemeal approach to saving the escarpment just isn't going to be satisfactory.

I was disappointed that we weren't able to get the kind of information that we needed in order to make this kind of reasonable judgement about the value of these regulations.

Let me give you an example, Mr. Speaker. I can see someone coming along and wanting to develop land owned by him on the escarpment for the purposes of recreation, perhaps a hotel or a motel. That land obviously would be land which ought to be very close to, if not immediately abutting on, the designated areas because they would want to have access to that for the patrons of the hotel, for the visitors. Then the decision of the escarpment commission would be what then is compatible with that hotel, rather than what is compatible with the area that has been designated to be saved? I think that the ministry and the minister have an obligation to this House and to every member to make known to us what it is that is on his mind and how he intends to save the escarpment and to ensure that improper development will not take place during the planning process.

I can't support the position that we have to go on faith, because I don't happen to think that that's the way you legislate. It might be okay, Mr. Speaker, if you are in the government back-bench and you have to trust the government to do the right thing, but it certainly isn't okay if you are charged with the responsibility of being an opposition member. We have the right to say on behalf of the public that we require concrete proof of what is about to happen, rather than have confidence in the capacity and the ability of the ministry to do its job properly.

And so I must say to you reluctantly, Mr. Speaker, that I personally can't pass the regulations even knowing full well that it is necessary to pass these regulations in order that we can get the plan developed, or so I am told, although I suspect there might be even a little bit of work being done in the interim period. I want to tell you that I would like to pass them in such a way as to enable me to go back into my constituency and to explain to the local people what it is that they can look forward to seeing by way of preservation and what the criteria will be for development that will be allowed during the planning process. But I honestly can't do it, and until I can do that, then I personally can't support the motion, even although the boundaries that are set out may well in an overall sense make sense. But even that isn't clear because we weren't given the kind of information that we needed in order to make that judgement, anymore than we were given the information needed to make any other judgement.

I really regret it because we have waited a long time for this. We have waited a number of years. Since Gertler first began right through until this day, we have waited to see what it was on the Niagara Escarpment that was going to be saved, and what of the Niagara Escarpment we were going to have to hand on to future generations. I think we must be expected to make our judgements based on facts and not on the kind of faith that the ministry might require of us in order to do its job. I think that we have to be told clearly what these designated areas are.

Therefore, until such time as I know what is going to happen with the escarpment, I would prefer that they just go ahead with the plan without the regulations. They can begin with the areas that are obviously savable, start on the escarpment, do a little bit with

the quarries and maybe come out with a policy as to how we are going to rehabilitate the quarry areas or maybe even come out with an interim policy on what kinds of development we are going to permit within certain parts of the escarpment, for example, the more densely populated areas where much pressure is now being exerted. Or maybe there could be simply an overall freeze on development of all of the escarpment face back for a mile from the edge, both above and below, simply to ensure that that will still be there to plan with, if and when the official plan is ever finalized, so there will still be something there to use.

Maybe those kinds of statements would help my conscience a bit and allow me to support it; and maybe a statement about the way in which the government intends to make the moneys available for the preservation; and maybe a statement about what areas are to be purchased — maybe those things would help my conscience a little bit. Maybe I'd better understand what it is that we could expect to see derive from this kind of regulation.

I won't support it. I don't expect any other member of the House to do anything, but I'm speaking as an individual. I won't support what's being asked of me simply because I don't think it fair that I should be asked to vote on something for which the rationale, justification and criteria are not sufficiently available.

Mr. Speaker: The member for St. George.

Mrs. M. Campbell (St. George): Mr. Speaker, I will be brief, but I am concerned about this matter. I feel badly that I have to take the position I do, because I think that the minister left the House with the understanding that we would probably support the position that he took, although we did give some warning that it would depend largely on the result of the meeting that we had with the officials.

I came away from that meeting, Mr. Speaker, with a great deal of concern because it seemed to me that we were entitled to know, when we were dealing with the matter of the escarpment, what the guidelines were going to be for the controls. There isn't a member in this House who is not prepared to support an attempt to protect the escarpment. What we feel, or what I feel—and I, too, am not going to speak for the total caucus—is that what has happened here is that again we have a very clear-cut delineation of area which permits a very clear notice to anyone who is interested in development, and no assurance that we will have, in fact, the controls within a very reasonable time that would make it possible to ensure the protection of the total escarpment.

I recognize, Mr. Speaker, that there are some controls now. I must confess that I do not know what applications re the quarries have been brought forward or how they have been dealt with in the meantime and I can't make any statement about it. But as long as we have this situation where we have a general plan with the idea that eventually there will be spot-control areas, as I understood the way in which this developed, I don't see that the bringing forward of this plan in this form guarantees anything in the way of the protection for which we all, I believe, voted in principle some months ago.

If you take an area and produce this and say, "This is the area which we are hoping to plan for, and we will be exercising controls in parts of these areas but we can't tell you now what the guidelines will be for choosing the areas of control, as we just don't know," then, as has been said by others, what you get is a pick-and-choose kind of situation.

I am pleased that I have so much of an audience on the government side to hear the pearls of wisdom which I am trying to roll out.

Mr. E. R. Good (Waterloo North): All three of them.

An hon. member: There is no minister.

Mr. Lawlor: They have all gone home for Christmas.

Mrs. Campbell: Mr. Speaker, speaking for myself, I would like to see us get on with the protection of the escarpment but I challenge the government to bring out its guidelines forthwith, if you like, so that we then will be able to see that in fact the deed is following closely the thought and that we do in fact intend not to break up this area by bits and pieces of spot development.

Thank you, Mr. Speaker.

Mr. Breithaupt: Mr. Speaker, I fail to see a quorum in the House.

Mrs. Campbell: Well, that isn't unusual, is it?

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: We now have a quorum. Did the member for Lakeshore wish to speak to this?

Mr. Lawlor: Mr. Speaker, I was one of the five members who attended the other morning, and I think that merits a few ascerbic remarks, under the circumstances.

The situation on the Niagara Escarpment is heartbreaking; I don't think there is any other word for it. It isn't the fault of the civil servants. Their tongues are almost as much tied as their hands. They have to defend a policy and they can't make disclosures, and they have as much as said so. But the possibilities for the ravishment of the escarpment are overpowering. They exist. The only thing you could do is refer to "the slings and arrows of outrageous fortune . . . the law's delay . . . a proud man's contumely." I think of the law's delay—eight months for this particular bill—since the last bill came to this House to give them the basic authority to do what we had given them eight months ago. It needed reaffirmation, and here it is. But that is the history of this bill. I inveighed against it on that particular occasion downstairs, but they are hardly the proper people to take the lash of the tongue.

It is almost eight years since Gertler, with nothing done, in effect, and with the prospect of even less being done—if it is possible to do less than nothing, which is what is happening. The spot zoning and the determination by tourist interests of recreational facilities raises the possibility of hot-dog stands arising over every yonder hill as far as the eye can see. The total despoliation of the escarpment lies before us today.

I won't speak any longer. I have lost faith in this possibility. It has been too long played with; the thing is going out from under us. The Conservative government has to balance two things; one of them being the monetary benefits to the province in terms of taxation revenue; and the maintenance of certain industries around the escarpment has been an overpowering prerogative over against mere green recreational and forested landscape for future generations. They have made their choice. This is the way it stands. I think we can wash our hands of it.

With the legislation they have effectively shoved everything over until 1976, until after the next election and beyond that. They have taken it out of contention; the issue has been taken off the pot. They have done it time after time in several succeeding elections, and the same machination is being performed before us. The whole thing is one grotesque farce, and the sooner the people of Ontario know it the better.

Resolution concurred in.

EDUCATION ACT, 1974

Hon. Mr. Wells moves second reading of Bill 72, the Education Act, 1974.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, as I rise to make a few comments on Bill 72, I would like at the outset to bring to the members' attention that it was back in 1950, if my memory serves me correctly, that the Hope commission came down with a recommendation that suggested a consolidation of all of the education Acts into one package. In spite of the recommendation of the commission, the Premier of the day, the Hon. Leslie Frost, didn't see fit to actually accept the recommendation and put it into practice. I would assume that probably it was partly as a result of the fact that 16 members of the committee suggested the consolidation, but the four Catholic members opposed it, and as a result, there was no action taken on this.

The minister, in introducing this piece of legislation did it in a very nice way, I think. I liked the approach that the Minister of Health (Mr. Miller) used when he introduced the Health Disciplines Act. He brought it before a committee and got input from all of the interested bodies. As a result, a piece of legislation came down that met with the general approval of the disciplines. I understand the minister is going to follow the same procedure here, in that immediately after second reading, this bill will go to the standing committee of the Legislature, and any interested individuals, groups or organizations will have their opportunity at that time to make some input. In that way, when the legislation returns to the House, whether it is amended or not, all interested parties will have had a chance to express their opinion.

With the passing of this Act, Mr. Speaker, it really means that for the first time in approximately 119 years there will not be an individual Separate Schools Act for both separate schools and for Protestant separate schools. The Ontario Separate School Trustees Association has, from the information provided to me, accepted the principle of the bill, even while accepting the principle of the consolidation of these five major Acts. They do accept it on the advice of their legal talent that none of the rights of the separate school will be taken away from them and that the rights don't depend so much on the legislation as on the rights that have been laid down in previous statutes and also in court decisions.

I hope that the minister, in his reply at the end of the comments from both parties

in the House, assures the separate schools that their rights will be maintained even though now, rather than having a Separate Schools Act, it's being consolidated into one omnibus bill. I have also noted in some of my research that the Rev. Carl Matthews is still a bit concerned over the consolidating of the Acts. He would have preferred to have had the separate school question sort of tagged on at the end of the bill.

Referring to the bill itself, Mr. Speaker, I would like to bring to the attention of the minister one of the things that I haven't been able to find in the bill—if it is in there, I would certanly like to be corrected by the minister—and that is the recommendation that was presented by the select committee on the utilization of educational facilities. Their main recommendation, which was sort of a basic recommendation to the use of the schools, was recommendation No. 2, and I will read it for the record:

> The Minister of Education, in directing the consolidation of the school Acts, should incorporate the principle of "a right and not just a privilege" into the intent and body of the legislation through the adoption of community involvement and coordination as basic guidelines.

The principle of a right and not a privilege was sort of the basic recommendation of the committee, and I certainly would have liked to have seen that incorporated directly into the Act just as the committee made mention.

Mr. Speaker, one of the sections of the Act that does puzzle me a bit is that concerning the rights of the legislator to visit schools. From what I understand, he can only visit a school in his own riding. He wouldn't be permitted, under legislation, to go into any other school and we, as legislators, wishing to be able to compare one school operation with another, couldn't cross political geographic boundaries.

I think another area in the bill that needs clarification so that it would be quite the same throughout is the introduction of the words "and/or British subject." I thought that when we have the qualifications of the trustees as "a Canadian citizen" then the other qualifications that don't necessarily refer to trustees but refer to the electorate, likewise should use the Canadian citizen connotation rather than British subject. It may require phasing out the "British subject" reference over a period of time, but I think that we should now have an Education Act that speaks in terms of Canadian citizenship instead.

When it comes to financially providing for members of various elected offices, it's always embarrassing to have a body deciding on their own pay increments. Now, I have noticed in here that the provision for payment to members of boards varies according to the number of students under the board's jurisdiction. That's all well and good, Mr. Speaker, but I think that there should likewise be a provision for an indexing so that board members don't have to be coming to the ministry or the ministry doesn't have to be raising the increment to board members on any periodical basis. It would be sort of automatic—as the cost of living would increase or as the number of students in the school system would increase, then the indemnity of the official would likewise automatically increase. It's unfortunate that we in the Legislature didn't adopt that when we were considering ourselves at one time. I think automatically indexing is probably a better approach than having to pass on your own salary increment.

Mr. Speaker. I have 33 other topics that I could speak on in individual sections on the bill, but since the bill is going to go into a standing committee of the Legislature, I think I would be wrong in taking up the time of the House now and then repeating each of the 33 suggestions to the standing committee.

This completes my comments on this, Mr. Speaker.

Mr. Speaker: The hon. member for Port Arthur.

Mr. J. F. Foulds (Port Arthur): Mr. Speaker, I am not going to be nearly as kind as the spokesman for the Liberal Party on this bill. I noticed that when the minister first introduced the bill—I believe it was in the first consolidation on Nov. 30—he indicated that it was not being introduced for the purpose of making broad changes in policy but rather to bring existing legislation up to date in a more convenient and rational form. He also indicated that the changes are mere refinements, not major policy changes, and this is in keeping with the commitment made by the ministry to the education community in January, 1973.

Mr. Speaker, when I went through this bill for the second time over the weekend, I had the most strong feelings of anger—I suppose that is not too strong a word—and of frustration. As I went through it, I said to myself: What is the purpose of this bill? What is the principle behind this bill? Surely what we have a right to expect in 1974 is not

simply a mechanical rehash of the former education Acts, provisions of which literally go back to the 19th century, but we have a right to expect from something calling itself the Education Act, 1974, a bill that attempts to cope with the reality of education in the 1970s. Surely we have a right to expect a bill whose principles will be such that the Act will cope with the realities of education for the next 30 to 40 years—that means into the 21st century, Mr. Speaker—and certainly this bill does not do that.

Surely we have a right to expect a bill that will have a preamble outlining the aims, objectives and principles of education in Ontario and not merely the occasional statements of the minister. Even the Labour Relations Act has a preamble that outlines its principles; even the Ontario Human Rights Code has such a preamble outlining its principles.

I am going to specifically refer to half a dozen sections in the bill, if I may, Mr. Speaker, as illustrations of what is wrong with the principle of this bill and what is wrong with education in the Province of Ontario.

As is normal what we have in this bill at the very beginning is a section of definitions of the Act. The one that really leaped off the page at me was the one that is section 1(1)(2): "'average daily enrolment' for a calendar year means the number obtained by adding . . . the sum of"—and it outlines a formula there that I defy anybody to understand without a slide rule or a computer. If that is the first thing that hits anybody who reads the Education Act of Ontario in 1974 he is going to be put off not only education but reading about what education is supposed to be about.

I won't take the time of the House to actually read that section into the record, but just the words in the subsection—"the product of 0.3," "the product of 0.4," "the product of 0.15," and so on— symbolically say to me, Mr. Speaker, that that is how children are viewed in our educational system. They're viewed as a product.

They're viewed as a product in two ways: One, they are viewed as a product just like a product in a factory system only, with our kids, they go in at age three, or age four or age five and they come out the other end of the sausage factory machine at age 24 or 32.

Hon. T. L. Wells (Minister of Education): The product referred to is a mathematical term.

Mr. Foulds: Okay, I'm getting to that. The children in our educational system are viewed as a product, as I've just outlined. They are also viewed as a product in this section, specifically as an average daily enrolment which equals money for the local board of education. That's what it does. The first encounter in our Education Act having to do with children views them as a product so the board can get money, basically, based on the average daily enrolment. That is symbolic of Ontario's view and the Conservative view of education and of children.

There are some areas that I found surprising in terms of the imbalance in the Act. For example, although there is a whole section on boards of education, and a section on trustees, nowhere in the bill is there clearly outlined the authority, the responsibilities or the purpose of local school boards. An article as recently as last Saturday in the Toronto Star indicates just how much of a problem that is, particularly with boards such as the Metro Toronto board. They are having difficulty, they say, because they lack the power to make the decisions to run their school systems effectively and efficiently.

One of the examples quoted in that particular story was that it took over a year for the Toronto Board of Education to get provincial approval to start a Chinese cultural programme at two schools, even though it wasn't asking for any money from the province. And, by the time they did get the approval, they had lost the volunteers they had lined up, so that the programme could not be run effectively.

It seems to me that, in a bill of this kind, we have a right to expect from the ministry a clear statement in legislative terms of the responsibilities, of the duties, of the scope of activity and authority of boards and of trustees.

The trend to a heavily-centralized ministry where, for all practical purposes, all the essential decision-making power lies, is conferred in this bill. And no number of statements by the minister, or his officials, will abrogate the legislation. There are no provisions to safeguard the authority and the rights of the local boards.

That prompts one to raise the question: If this government is moving to such a heavily centralized form of education in Ontario, why continue to have the boards function at all? Unless the ministry expects them to be the guys who take the shots for the ministry; unless the ministry expects them to be the fall guys.

It is symbolic of this piece of legislation that one of the few new sections clearly marked in it is the section under boards of education. It is on page 134, section 147, subsection 1, item 8, that "a board may enter into an agreement in respect to the use of a computer or a system of computer programming."

That is how we move into the 20th century in education in Ontario—by a reference to allowing the boards to enter into an agreement over the use of the computer or computer programming. But, Mr. Speaker, just in case we're getting too far into the 20th century with technology, we want to balance that out and we keep, in section 147, subsection 1, section 32, the old provision that the board may still—God bless them—"erect and maintain any wall or fence considered necessary by the board for enclosure of the school premises." That is just to keep the balance.

I am tempted at this point to read into the record, a few lines by Robert Frost about walls:

Something there is that doesn't love a wall,
That sends the frozen-ground-swell
under it,
And spills the upper boulders in the sun;
And makes gaps even two can pass
abreast.
Something there is that doesn't love a wall,
That wants it down. I could say
"Elves" to him,
But it's not elves exactly, and I'd rather
He said it for himself.
Before I built a wall I'd ask to know
What I was walling in or walling out.

That is typical of this bill.

The other thing that is startling to me is that while the Act does clearly outline the responsibilities of secretaries and treasurers of boards, the role, the function, the power of the trustee is only indirectly hinted at, and is only implied. Now, when we come to teachers there is a whole different attitude in the Act. The teachers' duties are pretty clearly outlined in section 229 of the bill and the duties of the principals are pretty clearly outlined in section 230 of the bill. I just want to bring to your attention the first three items in that list of duties of the principal:

It is the duty of a principal of a school, in addition to his duties as a teacher (a) to maintain proper order and discipline in the school; (b) to develop co-operation and co-ordination of effort among the members of the staff of the school; (c) to register the pupils and to ensure that the attendance of pupils for every school day is recorded either in the register supplied by the minister in accordance with the instructions contained therein or in such other manner as may be approved by the minister.

Now, those three things are not necessarily the most important duties of the principal, but in the very emphasis that we put on them by placement the one that leaps out at you is "to maintain order and discipline in the school." No one would quarrel with that. But that seems to be the thrust in the attitude overseeing all of our attitudes toward education in Ontario.

Mr. Speaker, if I might, that is a convenient place for me to break my remarks before the private members' hour and I would be glad to adjourn the debate.

Mr. Foulds moves the adjournment of the debate.

Motion agreed to.

PRIVATE MEMBERS' HOUR:

EMPLOYMENT STANDARDS ACT

Mr. Drea moves second reading of Bill 122, An Act to amend the Employment Standards Act.

Mr. F. Drea (Scarborough Centre): Thank you, Mr. Speaker. I introduce this bill to draw attention to the particular predicament that a rather substantial group in our work force finds itself in. That predicament is that because the Employment Standards Act has failed to keep pace with certain modern occupational methods and techniques, they find themselves, literally, a forgotten people across this province. They are specifically exempted from the provisions of the Employment Standards Act.

Mr. Speaker, I would like to draw the attention of the House to the fundamental reason for an Employment Standards Act in this province, and that was to guarantee to as many people as possible who work for wages and salaries some very simple and essential and fundamental economic and social rights.

That legislation was passed in the full knowledge that there are a great many people in our society—most of them because of the occupation they find themselves in or perhaps the employer they find themselves with; an employer who has a very small payroll—who find themselves incapable of exercising the right that is extended to most workers in this province, and that is of joining a union

and entering into collective bargaining procedures with their employer.

The purpose of the Employment Standards Act, although at the moment it sometimes surpasses certain labour agreements, nonetheless was to provide a basic floor, particularly for wage and salary earners who were incapable for one reason or another of exercising the type of collective bargaining that generally pertains to those in heavy industry or with large employers.

Mr. Speaker, I think it is a phenomenon of this legislation that the particular exemptions are not spelled out in the legislation. They are dealt with by regulation. You will notice in Bill 122 that we are really taking a back door route. I am trying to get at the regulatory authority rather than the legislative one because the specific exemption pertaining to apartment superintendents who reside within the buildings where they work is contained in the regulations.

The purpose of this Act is to remove that regulatory right. When we look at the question of apartment superintendents today, and albeit most of them are in the larger metropolitan centres, we find that that occupation has come a long way, that no longer is it a person who is granted a form of subsidized housing either in a free apartment or in a rent-reduced apartment in return for part-time activities that he or she carries on. I say this because in the beginning the apartment superintendent really was the superintendent of a collection of flats or of duplexes and there wasn't the problem because quite often he was gainfully employed elsewhere. He took this as part-time employment in order that he might alleviate his shelter cost.

Mr. Speaker, we have come a long way from that particular point. There has evolved now an occupational category of apartment superintendents. We have people in charge of the overall maintenance and protection of very large units with 300, 400, 500 or 700 apartment suites—very large buildings. These people bear enormous responsibilities because they are literally within a building that often encompasses the size of a small town as we knew it 20 or 25 years ago, and they are the people who have to respond in virtually all emergencies.

With the utmost respect to the profession of the particular member, I would like to say that in a lot of ways they are akin to the country doctor of a great many years ago. Many of them are not only the first person that tragedy or some unwarranted circumstance brings into the apartment, they are often the one who has to deal with the breakup of families and the dissolution of property. They have to be relatively astute to deal with the very intricate economic problems people today find themselves in.

They are responsible when the rent cannot be collected. They are responsible for the way in which you get sheltered, because often the renting of the units is left to them and they have to make the judgement as to whether or not you are the proper kind of tenant. Yet, Mr. Speaker, as far as the laws of Ontario are concerned, these people are not even entitled to a day off a year.

I don't think that in the proposals I make, I'm asking too much when you have a class of people who bear responsible jobs, and they are not even entitled to an hour off a year. If their employers see fit, and, quite frankly some of them do, that they are responsible 24 hours a day, seven days a week, they either accept it or they get out. It is very easy for the 117 of us in this chamber, who wield a considerable amount of economic power and influence, to say, "If a person doesn't like his job he can always leave."

I want to make a few remarks on that situation, Mr. Speaker, because not everybody finds himself in this position, particularly the middle-aged man or woman. They may find themselves, at that point in life not possessed of the best health in the world, nor of all the skills required for steady, full-time, very gainful employment. Perhaps they are encumbered not only by illness but by the size of their family; perhaps they are in a situation where their lack of earning capacity has them in financial difficulties that can only be alleviated if they can somehow ease the present high cost of rental accommodation.

Mr. Speaker, what I'm basically after is to see that people who work in this type of occupation are as entitled as everybody else not to one day off a week, but to at least two. As it is, they would be better off in prison. If they committed a crime they would be entitled to a number of weekend passes, where they could go home to see their families in privacy. If they work as an apartment superintendent and live in, they are entitled to nothing. That is a very sad commentary on the social position of our province.

Secondly, once they live in and forfeit all of these rights, they may find themselves in the very bizarre position where a caretaker brought in from the outside, who does not live in, is within the full protection of the Employment Standards Act, but the superintendent who is in charge and must bear all

the responsibility is specifically excluded from any of the benefits.

This is the second time the Ministry of Labour has done this in its employment standards branch, because we are in the same position with the domestic servant. If the domestic servant lives in, she—most of them are females—is not entitled to the protection of the Employment Standards Act. But if she works for an agency, in effect she becomes a supply worker and is sent in on a temporary basis, and she is within the full scope of the Employment Standards Act.

So over the years there has developed within the ministry responsible for the evolvement of the regulations, a very peculiar attitude toward those whose occupations have them residing at their point of employment. This would be akin to saying that a man in lumbering or mining, in this province, by virtue of the fact he entered into an agreement with his employer to "bunk-up" and to pay room and board, or to receive it, once again would be denied the protection of the Act. I suppose the reason they are not excluded from the Act is that it is a pretty fundamental piece of social progress in this province that virtually all workers in those two classes are unionized. They really have very little opportunity to use the Employment Standards Act.

When it comes to the government of this province, as an employer, and I am talking about the superintendents and caretakers in Ontario Housing Corp., if we were to be consistent, we would deny some of them because they do live in Ontario Housing, at the point of their employment. We would deny them the protections of this Act. But we do not. They are already covered within the scope of union agreements and don't need it.

Mr. Speaker, we are turning this whole field over to the ability of unions. Hopefully, unions can do something for the apartment superintendent. Until we are prepared to make some rather fundamental changes in the Labour Relations Act of this province, I think that is a futile hope.

When it comes to dealing with the rights of a small number of people to organize with a relatively large employer, which is spread out over a very lengthy area, it is virtually impossible to get the number of people to join that would entitle them to certification. It is far too easy for the employer to take the easy way out, as has been the case. They simply contract out to a maintenance company.

If that was the only penalty, Mr. Speaker, perhaps I would not be suggesting some reforms. The penalty, when an apartment superintendent stands up for his rights, dares to protest, suggests reforms, is far more severe than is allowed anywhere else in society. He forfeits his shelter. Not only does he forfeit his shelter, he must leave immediately, because the shelter is provided as a term of employment. Since he is never within the scope of an employment unit large enough to require more than cursory notice, he is virtually put out on the street. When he is put out on the street, he must marshal all the resources he has to provide two months rent in his new accommodation.

Now, for a person earning a rather marginal amount of money this is extremely difficult. Yet, big developers, the ones who don't pay income tax, release facts to the newspaper and the newspaper believes them, that indicate, if you did cost accounting principles, these people make $14,000 a year and up. Mr. Speaker, using the same cost accounting principle, I make somewhere around $78,000 If you take into account the amount of money the Ontario taxpayers pay to provide heat for this chamber, and reckon it as a cost benefit for me, I am really a very wealthy man.

Most of these people make barely above the minimum wage. They are on call 24 hours a day, seven days a week. They must also bring their families into a type of chattel arrangement that is almost beyond belief in 1974. The typical employment opportunity is for a man and wife. The man comes ostensibly as the superintendent, but they want a female with him. They want his wife there because while he is doing many of the chores—say he has to be out in the hall cleaning—she can be faithfully there to answer the telephone if somebody has left his key at home or a tap is leaking. With this arrangement, tenants get instant service. The apartments owners also like a couple of kids as well because the parents can get even more cleaning done while the phone is maintained by the kids.

Mr. Speaker, this kind of working agreement went out when we abolished the legislation concerning indentured service. Yet, because we will not face up to our responsibilities in this province, these practices go on. They are accepted. Occasionally there is a protest but not very often.

The reason this goes on is that this type of job is offered to people, as I said before, who are kind of in the position already of being second-class workers. They are usually the kind of people whose health or whose

education or whose skills are not the highest. I am not downgrading them, but I think we should look at the situation realistically. They are in a position where they are not exactly the most attractive bet for the high-paying industries to employ.

They usually have families, and as people who are only marginally employed with just slightly above the marginal income, they find the cost of housing, the cost of food and a great many other things a much more heavy burden than do others in our society. They feel that they can enter into this type of occupation and, because there is a reduced rent or no rent at all, they can somehow pull themselves out of this economic morass within a reasonable period of time and go forward and get further or new employment, and that, frankly, this is just a temporary measure.

Mr. Speaker, once most of them get into this, they find out it is a lifetime measure, because once again they are only at a marginal level of pay. If they are going to leave that job, they must vacate that shelter, they must go out into the open market, incur the very high costs of new shelter and hope that they will be able to get enough stable employment at a proper rate that they will be successful. For a midle-aged man and woman who went into the labour force at a time when not all of the free education and free trades training and free everything was available as a matter of right but more as a matter of geography and birth in this province, surely that's asking a bit too much.

Mr. Speaker, if I believed the developers, that this was going to raise rents 30 per cent a month, I might pause. I don't think if they gave these men and women a day or two off a week—and I will go for two—it would raise the cost of rent in a highrise accommodation more than $2 a month per unit, if that, and that would be a bit of a ripoff by the apartment owner. You certainly can't blame the apartment superintendent now, because of his wages or because of his relatively free accommodation, for the present state of rents. Whatever he gets is a very, very minor thing in the present escalation of rents in the larger centres of Ontario.

Mr. Speaker, if it would cause great and grave hardship to the tenants of apartment houses, I would not recommend this. Why does an apartment superintendent have to be around for a phone call that says the pipe is broken? He can't fix it anyway. If he did, he would be breaking the municipal bylaw. He can't fix a broken electrical circuit. He would be breaking bylaws. All he really is is a referral service to the maintenance company that's contracting to do this work. You can hire an answering service to do it on a Sunday afternoon, Mr. Speaker.

If a tenant loses his key or can't find his key, or has a tendency to leave his key where he has been or he leaves the key in the suit that he changed yesterday, because he lives in an apartment house, I don't really think he should enjoy a particular status in our society, or that somebody has to work 24 hours a day, seven days a week, just to provide him with a key.

Mr. Speaker, I think this is incumbent upon the province. We have been studying this matter now for four years. I think we will study it for another 40 years until some heat is put upon the Ministry of Labour.

They studied the men's minimum wage in this province, Mr. Speaker, for 30 years before they did anything about it. They have studied a great many things in this province. It is my feeling that the longer you study things, the more problems you will encounter and the more studies and consultants you will need to overcome them.

It is the end of 1974 and I respectfully suggest to you that the time has come for the Ministry of Labour to provide people, not with a present at the end of the year to mark season's greetings, but to accept its responsibilities to extend the Employment Standards Act of this province to a group of people who at the moment need it far more than anybody else.

Mrs. M. Campbell (St. George): Mr. Speaker, I am interested that this matter has been brought forward by the member, who has shown a deep concern for the people involved in this kind of work in this province. The one thing that bothers me about it is whether in fact, it is going to benefit the wife, who is really the slave labourer in the whole field. I don't know whether a day off for the superintendent will mean she fills in on the job. That happens in our big buildings today.

There is no question that we have to give all the people of this province the opportunity for some respite from work, some recreation, and some relief. Certainly there was never a time in the history of the province when the superintendent had more responsibilities of a graver nature than today. I, of course, am only familiar with the situation basically in Metropolitan Toronto.

Here you have someone responsible in cases where people are alone. As the member for Scarborough Centre has said, they may be the first people into an apartment in

a tragic situation. They have to be tactful and understanding. In many cases they have a large population of people within the apartment not oriented to English as a first language. They have to understand their problems. They have to be able to interpret.

It is incredible to think they must be on the job around the clock, 365 days of the year. What it does to their families, of course, is incredible because, as has been said, when the wife is also on duty she is, of course an unpaid servant. She is expected to pick up the load if the superintendent gets ill or some such thing befalls him.

Even in some of the very large projects, many wives are quite critical of those wives who are not willing to sit down and take over and be there around the clock, because they are accepting the responsibility to keep their families and to give the fullest assistance to their husbands.

You really can't work all the time. Of course, many of them are not actually "working" all the time. But they are on duty. I can recall when I was with the fire department at the city, for example, the fire chief and the deputy and the assistant deputy were never off duty. They were always on call, and, as a matter of fact, unless they had some specific provision to enable them to leave the city, for a conference or something of that kind, or for holidays, they couldn't get out of town, because they had to be within the communication system in the event of fire. This was changed in the city because we felt it was an intolerable burden to expect people to be on duty, even though not actively engaged in the pursuit of their particular profession.

Yet it seems, we do not want to make the same considerations for these people. At the recent conference involving provisions and services for the elderly, we were advised this province has initiated, in some cases at least, courses for superintendents, to assist them to help people, particularly the elderly, who have problems living in highrise. If we are going to do this, and if we are going to recognize this is an occupation which requires skill and diplomacy, then surely they should be brought within the terms of the statute to enable them to recreate themselves between times, and be able to cope with these daily situations.

Mr. Speaker, on the question of the increase in rents that might result, I would say they would be totally specious. Most of the increases which we have seen have not had any real bearing on increased costs. There are some. Taxes have gone up. It is interesting that when the apartment developments had lower taxes, there was no effort to lower the rent.

I am not of the opinion that we can look at it from that point of view. However, if the member would look at the problem of the tenants in a major city, if he would be inclined to try to take steps to ensure some security of tenure for tenants, if he would look at my private member's bill and try to get some kind of reason for the way in which rents are escalating, perhaps we could overcome the criticism of this particular proposal.

I am sure the member, in bringing it forward, has concern for any increases that might flow from it. I could almost say at this point, perhaps I shouldn't support him until I see what he does about my private member's bill.

Perhaps that kind of pressure has to come, but I don't believe one segment of the population should be asked to take responsibility for all that is happening. I don't think the developer, the apartment owner, the tenant, or the superintendent should.

Mr. Speaker, I am pleased to support this particular proposal and amendment, and I trust something of what I have said in other areas may cause some thinking on the part of this government as it relates to the whole problem of tenants, superintendents and landlords, at this point in our highly inflated period. Thank you, Mr. Speaker.

Mr. E. J. Bounsall (Windsor West): Mr. Speaker, this private member's bill is one I can support, certainly as far as it goes. It removes a superintendent, janitor or caretaker of a residential building who resides in that building from other groups of employees who have been exempted from the various provisions and protections of this Act.

There are other exceptions that are included throughout all of these other sections, whose positions, sorry positions—and who is sorry when each of them are told—are just as compelling as the superintendents, janitors and caretakers of our residential buildings and large apartments that abound in all the cities of Ontario.

Certainly, specifically for the superintendents and janitors, one finds they are exempt from the hours-of-work provisions under the Act; and no group of employees should be required to work more than the 48 hours a week which is stipulated in the Act. In fact, I feel they should not be required to work any more than 40 hours.

They are exempt from overtime pay provisions. If they work continuously and overtime is involved, overtime pay should cer-

tainly be applicable to any group of employees, including superintendents of apartment buildings.

They are also exempt from the minimum wage regulations. This is particularly obnoxious, Mr. Speaker, for this group of employees. One can calculate the going rate of the apartment or the unit in which they live. One can do a study on the amount of real hours of work that someone, particularly a janitor, provides. One could in fact ensure that the wage paid, taking into account the rent on the apartment unit in which he lives, the worth of the rental, does amount to the minimum wage.

I am sure that there are many who do receive the minimum wage, perhaps some above the minimum wage. But there is nothing in this Act which would prevent payment below the minimum wage, and this certainly must be corrected.

There is an entirely new Employment Standards Act before us in the House at the moment. It has been introduced. We hear, as a companion study to that Act, that all the exemptions were carefully gone into and looked at and there are memos pertaining to those exemptions before the minister and the Minister of Labour's staff. I would hope that when that bill is brought in it will be sent to committee and those exemptions which would appear in these regulations will be tabled at the same time as the bill is discussed, so that the members of this House and other interested groups could have a look, as we are doing today in connection with this one small group of employees, at those exemptions and be able to express ourselves quite forcefully, as the other two speakers have on this particular group of employees.

I do not find in the regulations accompanying the Act that the superintendents and caretakers are exempted from holidays with pay or vacations. The only problem is that if they are exempt from hours of work and part of the requirement is that they be on hand at all times—which I understand is the case—then they are automatically ruled out of taking holidays or taking vacations. I assume because they are not exempt from pay in lieu of vacations, that they do receive that minimum two weeks per year or four per cent of one's salary pay in lieu of vacation. But those people engaged in the superintendent and caretaker and janitorial service in the huge apartment buildings which are now common in our cities need that time off. Pay in lieu of having a vacation or a holiday is simply not an adequate recompense.

The other exceptions that run throughout the Act, and I won't dwell on them except to mention them, are just as compelling as these. Salesmen, other than route salesmen, who receive all or part of their remuneration from commissions are also exempt from the various sections of the Act. Most salesmen, except for some insurance salesmen and many real estate salesmen, do receive a fair proportion of their wages or total earnings in the form of salary. This group of workers cries out for the protection of this Act with respect to that portion of their earnings which comes as salary. Certainly that portion which comes from commissions is another story.

But this group of employees, salesmen other than the route salesmen, the milk and bread salesmen, do not receive pay in lieu of vacations and it is my point that they should be receiving it on at least the salary portion of their earnings.

Farm workers are exempt from virtually everything, be they full-time or part-time, Mr. Speaker. They are exempt from hours of work regulations, from overtime pay, from minimum wages, from vacations with pay or pay in lieu of vacations or holidays. This is another group of workers, many of whom in Ontario are full-time farm workers, who need to be brought in and given the full protection of this Act in the same way that building superintendents need full protection.

On looking at the Act, there seems to me a rather intriguing group of employees with the same exemptions from protection of the Act as janitors and superintendents of apartment buildings. These are employees of a telephone company operating or owning telephone systems and exchanges serving fewer than 300 subscribers. There are presumably not many telephone companies of this size in our province any more, Mr. Speaker, but if there are I can't see any reason why the employees of that particular company should be exempted from the minimum wage provisions in the Employment Standards Act, or do not get overtime pay. If they are for some reason required to be exempted from hours of work legislation in a particular week—and I can see from time to time that might happen—they should certainly receive overtime pay.

I can see that for these employees, for farm workers and perhaps for building superintendents, we should be talking in terms of a certain number of hours worked per year and perhaps not tie it to hours in a day or a week. Beyond a certain number of hours per year they should be eligible for

overtime pay. Certainly they should be paid, in each and every case, the minimum wage.

My only disappointment with the bill is that it could have been easily extended to cover these other groups of employees. This doesn't detract from the fact that it is needed for building superintendents. Certainly complaints of this have reached my ears long before this, from various sources.

The complaint has usually taken the form of a superintendent or janitor finding the only way he can be absent from the building without leaving one of the other members of his family there is by working twice as hard. He makes an arrangement with the identical person in the building next door that he will do all the janitorial or supervisory work for whatever period he hopes to get away with his family, in return for an equivalent number of days the reverse way. He finds that in order to get a vacation or a few days off he has to, in exchange, do all the supervisory and janitorial work on behalf of a colleague caught in the same situation.

This Employment Standards Act most certainly needs to be up-dated and entirely reorganized in the areas of exemptions, so that groups of employees, be they farm workers, salesmen on salary as well as commission or building superintendents, are not caught in this very discriminatory way that the Act catches them at present, through the regulations.

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, I rise to support my colleague from Scarborough Centre in the matter of Bill 122. I do think this bill is possibly the basis of helping other groups in the community, groups that I feel perform a very useful service but do not receive adequate compensation.

In addition to the people mentioned by my hon. colleague, I am thinking of people employed on piece work who are probably receiving less than the minimum wage, and also people who take work out and work in the home. They are also not receiving adequate compensation for the work they do.

I have a number of apartment buildings in my riding of Beaches-Woodbine. I speak to the superintendents in those buildings and I pay tribute to the work that they do. They are more than janitors and caretakers; they are custodians. They are the key persons in the buildings, there to help people in time of trouble. Those I know are conscientious and hardworking in the performance of their duties.

This is a family affair with many people, Mr. Speaker, and the men and women are concerned with those who live in the building. They are friends, and they are conscientious in the performance of their duties.

I know that many people work under a contract or an arrangement where they have a free apartment. In exchange for this and some salary or wages, they take on a great responsibility in many cases in looking after that particular apartment building. There is no 40- or 48-hour week for them; it is many hours more than that and often it is a full 24-hours day.

Many building superintendents I know receive calls during the night. A person takes ill and an ambulance is required. The first thing to do is to get the superintendent, whatever the problem is. I would imagine that living on the premises means they are never free from their duties.

Other workers leave their office, or a businessman locks the office door and usually is free until the next morning; not so with the superintendent of a building or, indeed, his family. They are called on to fix leaky pipes and to deal with heating problems, sudden illness, and as mentioned before family problems, oftentimes the superintendent is arbitrator in family problems.

I would imagine the building owner would make some arrangement to have a person take over this responsibility. As I understand the principle of this bill, it would require a building owner or employer to give his employee at least one full day and hopefully two full days, free of responsibilities. This would be a requirement. I know that now a building superintendent can ofter leave for a day or half a day, but his wife is expected to carry on the duties. I would think the owner of the building could make some arrangements, for one or two days a week, to have some other person, or another person in the building, come over and take that responsibility. I think the onus is on the owner to do this.

Now this is not the type of job that can be defined in a clear way. There are many duties put on the incumbent of this position. In addition to keeping the building clean, he is continually receiving calls from people in the building; I would imagine a good conscientious building superintendent would have many calls. If he does a good job for one apartment tenant, he would be expected to do the same type of job for every tenant; so a good man could have a lot of extra work. I think that under our Employment Standards

Act this particular person should have this protection.

We are thinking, of course, of others in addition to this one particular category of employment. Others have been mentioned this afternoon. It seems to me the principle and the basis are here to include those people in amendments that I think should come in this Act.

From the employer's point of view, I would think, Mr. Speaker, that if he had a happy employee, a person who does have adequate time free from responsibilities, this person would be able to do an even better job. A happier employee would, I think, support the owner of the building even more than he does at the present time.

I realize there could be some cost increase. Every improvement in standards of wages or standards of employment requires additional costs. We have overcome those things in the past. I don't think anyone in a building would begrudge a person having one or two days free of responsibilities.

Mr. Speaker, I am happy to support Bill 122 put forward my hon. colleague. I hope the government will see fit to pass these amendments. Thank you very much.

Mr. Speaker: The member for York-Forest Hill.

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker, I listened with great interest to the member for Scarborough Centre and the member for Beaches-Woodbine on this very serious topic. I wish to congratulate and commend the member for Scarborough Centre for bringing this matter to our attention.

I had some knowledge of what was going on with respect to superintendents, janitors and caretakers. I don't think any of us had knowledge these abuses were as serious as the hon. member has pictured them today. On the other hand, listening to these two members on the government side speaking, Mr. Speaker, I cannot understand why this government has taken so long to discuss this thing, particularly in the form of a private member's bill. This is the government that has been in power for 32 years. This is the government that has governed this province during the time of this explosion in the development of apartment houses which has brought about the abuses the members, particularly the member for Scarborough Centre, talked about.

A tremendous metamorphosis has taken place. The construction of huge buildings of 200, 500, and 700 units, has resulted in the exploitation of caretakers, janitors and superintendents in the manner indicated. Many of the people who built or own these buildings, are friends of this government, they are its supporters and financial backers. Now, in this period of 1974, they come in with a private member's bill and begin to talk about abuses that are taking place. Abuses which they have done nothing about for so many years.

I can't understand why, at this late date, they come in and talk about these things, when action should have been taken a long time ago. There is no question in my mind that with respect to large units which we have seen grow up, particularly in the boroughs of Metropolitan Toronto, Scarborough, North York and the various peripheral municipalities in the townships and boroughs, they should have made this provision in respect to the Employment Standards Act many years ago. I was under the impression Queen Victoria freed the slaves back in the 19th century. To hear this kind of indenture slavery still persists is something I find very shocking. This kind of legislation has long been overdue.

What worries me in discussing a matter of this kind, our mind's eye focuses on the huge units, the big apartment buildings, and we sometimes forget there are more units, which are not in the big building categories, owned by the big conglomerates and big companies. What concerns me is how we fashion a piece of legislation to deal with the big commercial monsters with the number of units ranging up to 700, and differentiate between them and those that have 10, 15 or 20 units, where the janitor is a part-time person, where he is a marginal employee, from the standpoint of the time he puts in and the skill and expertise he has.

How do you differentiate between the two categories of workers: The man who is in the big unit, who really has to give it his full time and the full time of his wife and his family; and the man in the smaller unit, where he's just sort of filling in some time? It's a marginal kind of job where, if you apply strict measures of control, it may be that he would not have an opportunity to fill in and to have this kind of employment, which he obviously requires for the purpose of getting the shelter and getting some of the tax-free perquisites which he derives from providing this kind of service in a smaller building.

This is the kind of problem that would concern me. I think that what would happen is that if you demanded a high degree of service under the Employment Standards Act

you would require higher pay and you would require time off, which would have to be met out of higher revenue which in turn would come from higher rents. There is no reason to think that the rents wouldn't go up; they should go up. However, there's no more reason to say that rents should be kept low by virtue of the fact that janitors or superintendents are paid less money, than to say that you should bring back slavery and thereby low rent. There is no reason for saying that you should take it out of the hides of the janitors and superintendents.

I think we must give some concern to this problem with respect to people who provide this kind of service in the smaller units. I would be worried that over a period of time the trend would be toward bigger units, with a tendency of the landlord company to contract out the matter of the pipe-fixing and the matter of the servicing and the matter of doing all the things these superintendents and janitors do, the services they provide in these buildings. The trend would be toward bigger units, which we would not like to see in the big urban areas of this province.

There is a tendency today, we feel, that people are against the highrise, they are against the larger units. People don't want to be hived together in the huge units today. There is a trend away from it.

Consequently we would like to see more units of a smaller nature constructed. It should be possible for an optimum kind of unit to be built where a superintendent can service that unit and be treated like a human being, with all the rights and privileges which are accorded to any employee working as a human being in any other industry. They should be accorded those kind of rights and privileges that any person has in any other kind of industry.

Mr. Speaker, I say to the member for Scarborough Centre I congratulate him for bringing in this private member's bill. He should get the ear of his friend and Minister of Labour, the hon. member for York West (Mr. MacBeth), and take him over in a corner. He's an honourable man and he's an honest man. Talk to him about this discussion that has taken place this afternoon, and sometime in this session or the next session have this be introduced as a piece of government legislation. It is high time these terrible abuses that we all talked about this afternoon be remedied.

Mr. Speaker: The member for Hamilton East.

Mr. R. Gisborn (Hamilton East): Thank you, Mr. Speaker. One would have to be a very miserable individual at least to deny the provisions of this bill to anyone in the province. What we are saying is that we are going to extend to a certain group the most miserable of provisions, excepting one or two that never could be devised. So we are going to do something for them, but I don't think anybody should be clapping their desks about support of this bill.

I will ask the member for Scarborough West if he has raised this issue with the Minister of Labour and what his answer has been. I would think he has said: "No, I can't convince the cabinet or I can't convince my colleagues to bring it in." Otherwise the member would have no need to bring in this bill.

We are dealing with the minimum standards, that is what the Employment Standards Act is, the minimum we can give any poor soul in this province; and we want to extend it to a group.

Somehow I feel we are blowing in the wind in talking about this, because I haven't heard of a great uprising by superintendents in apartment buildings. I have had some very raucous problems in Hamilton where there has been a real mean situation where the superintendent or janitor or janitoress, whatever they choose to call themselves, are treated pretty mean because the absentee owner has gone to Florida or some place and no one knows how they are going to get the automatic alarms fixed or how they are going to get the electrical controls fixed, and this sort of thing.

But who are the janitors or the superintendents? How do we relate them to those agents, supervisors, managers and foremen of other companies who are in a great sense in a confidential capacity? How do we relate them? Some superintendents are very dignified, well-paid people in some of the large apartment buildings. They have an administration system beyond any that I have heard mentioned here. They have instantaneous answering services. They have their maintenance people tied down on 24-hour call for elevators, electrical systems, water maintenance and that sort of thing. I don't know how we specify these situations.

What I think the hon. member for Scarborough Centre should be doing is going, as parliamentary assistant to the Minister of Consumer and Commercial Relations (Mr. Clement) and saying to him: "Don't you think it is about time we drafted an apart-

ment buildings administration Act where we set out the guidelines and mandatory provisions for supervision; set out the guidelines from the administration down through the maintenance so that we really know what is going on today in these massive apartment buildings? How have we problems with elevators, with children falling off balconies and this sort of thing?"

I think we are missing the boat in treating so lightly such an important measure.

I think most who consider themselves superintendents or janitors or janitoresses in some of the apartment buildings are nothing more than lackeys for the apartment owners. They take on every responsibility. They point out the undesirable tenant, they bring in the white-haired tenant, they hire the friend they want to sweep the halls and all this sort of thing. Most of this is a supplement to a full-time job, and in this case nobody is getting treated right.

So I would think it is the responsibility of one of the ministers of this government to take a look at the whole situation. We are taking a real look now at the condominum mess, because it got into real serious problems where people were taking a beating on their rights as far as administration was concerned. I think now, because of the great number of highrise apartments, that it is time that the Minister of Consumer and Commercial Relations took under advisement recommendations from his parliamentary assistant and the Minister of Labour—or any other colleague in the government who could help him out—to draft a workable, mandatory administration Act for apartment buildings, so that people have protection as well as the man who has the responsibility to do the job.

Mr. Speaker: This order of business is discharged from the order paper.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, just before you leave the Chair, if I may I would like to put the motion that tomorrow following the question period the standing administration of justice committee will meet concurrently with the House to consider Bill 82, An Act to Amend the Corporations Tax Act, 1972.

Motion agreed to.

It being 6 o'clock, p.m., the House took recess.

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No. 127



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Monday, November 18, 1974

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I would like to introduce a new-Canadian adult class from Parkdale Collegiate Institute. They are sitting in the west gallery with their teacher, Mr. G. D'Oliveira.

Clerk of the House: The seventh order, resuming the adjourned debate on the amendment to the motion for second reading of Bill 72, the Education Act, 1974.

EDUCATION ACT
(concluded)

Mr. Speaker: The member for Port Arthur had the floor when we left off.

Mr. J. F. Foulds (Port Arthur): Thank you, Mr. Speaker. When we adjourned at 5 o'clock I was pointing out the emphasis on law and order and the mechanical running of schools, as outlined in the duties of the principal in section 230 of the bill. I thought I would indicate to the House some of the things I find disturbing in terms of the duties of the teachers which are outlined in section 229 of the bill. If we take a look at section 229 (1)—Mr. Speaker, I think my colleague from High Park is much disturbed that I have to speak without a quorum.

Mr. M. Shulman (High Park): Is the member drawing the attention of the Chair to the fact that—

Mr. Foulds: I wouldn't dream of doing such a thing. However, if some other member wishes to do so, that is entirely his responsibility.

Mr. Shulman: I never interrupt.

Mr. I. Deans (Wentworth): Wishes to do what?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Let's not have another fight over here.

Mr. Foulds: The first five subclauses outline the duties of a teacher.

"It is the duty of a teacher,

(a) to teach diligently and faithfully the classes or subjects assigned to him by the principal;

(b) to encourage the pupils in the pursuit of learning;

(c) to inculcate by precept and example respect for religion and the principles of Judaeo-Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues—

Mr. P. D. Lawlor (Lakeshore): My Lord! We produce the angels of the schools.

Mr. Foulds: And:

(d) to assist in developing co-operation and co-ordination of effort among the members of the staff of the school—

Mr. Lawlor: Even the minister couldn't do that.

Hon. T. L. Wells (Minister of Education): Great stuff. Great stuff.

Mr. Foulds: Also:

(e) to maintain, under the direction of the principal, proper order and discipline in his classroom and while on duty in the school and on the school grounds.

I would have hoped that a teacher would encourage the pupils not only in the pursuit of learning, but also in the pursuit of curiosity and wisdom. I would have hoped that, under section 229, teachers could have inculcated by precept and example the highest regard for scepticism, critical analysis, beauty and creativity, as well as those other more motherhood virtues that are outlined in the bill.

I would have hoped that somewhere in the bill we could have said that the aim of education was to extend the potential of our students so that their abilities would be put at the service of their fellow men. I would have hoped that the minister could have found it possible to include a section on the rights of teachers as well as on their duties. I would have hoped that the minister could have found it possible to include a section on the duties, responsibilities and rights of parents and students as well.

Section 250 of the bill deals with the duties of the supervisory officers. I would have liked to have seen it clearly spelled out in legislation in 1974 that it is among the duties of the supervisory officers—who, as I understand the bill, are also the administrative officers of the board in many respects—to reveal all the information on an issue or appointment to the elected trustees, that to deliberately withhold information from the duly elected board would be reason for dismissal.

I would suggest to you that the greatest single frustration that trustees have run into in the last two or three years, aside from their little contretemps with the ministry over ceilings, is the experience they have with their own administrative personnel, particularly in the now large regional boards, of the selective information they are given by the full-time professionals before a decision is made. I would have liked to have seen a section somewhere in the bill to avoid that possibility.

I would have liked to have seen a provision requiring that every supervisory officer of the board, or of the ministry should return to the classroom full-time, at least every five years; and that even during his supervisory period, or during his tenure as a bureaucrat, he should spend at least two days a month in the classroom, not as an inspector, not as a supervising officer, not as an administrative bureaucrat but under the supervision of a qualified practising teacher, as a student of the system in effect.

There must be nothing so galling to the classroom teacher as to receive gratuitous advice from a so-called supervisory officer who hasn't been in the actual classroom situation for 10 to 15 years.

There is another section of this bill, the whole section in part I, describing the Ministry of Education, particularly section 10, which grants enormous power to the Minister of Education. And it is, I think, particularly important to understand what this piece of legislation does. It assigns to the minister in sections 8 to 10, but especially in section 10, enormous powers—powers to such an extent that our educational system is by and large administered through regulations. Those regulations are often drafted, if not secretly—and I don't mean the word in a sinister sense—then quietly in the back rooms of the monolith in the Mowat Block.

Hon. Mr. Wells: Never.

Mr. Foulds: I am going to make a suggestion to the minister about bringing some regulations to a committee of the Legislature which I hope that he will take seriously.

Hon. Mr. Wells: All regulations go to a regulations committee. A regulations committee reviews them after they have been brought in.

Mr. Foulds: But they are gazetted. I would like the minister to bring them in to the Legislature in some instances.

Hon. Mr. Wells: The member should ask his friends in the teaching profession about regulation 191, if they know what that is.

Mr. Foulds: The power that the minister is given in regulations runs from item 2—Could you bring a little order to the chamber, Mr. Speaker?

Mr. Speaker: It seems to me the problem is on your left.

Mr. Foulds: Precisely. Geographically, not ideologically.

Mr. J. R. Breithaupt (Kitchener): In either case?

Mr. Foulds: This power of regulation which was granted to the minister runs from item 2—governing admission of pupils; to item 6—governing the establishment, organization and administration of special education programmes, facilities and services for pupils; to item 24, prescribing the duties of pupils.

There are a couple of subsections of section 10, particularly subsection 3, which has to do, as I understand it, with the grants per pupil. That was slipped in by the minister's predecessor simply as a housekeeping measure. That power is not a housekeeping measure. That power to institute the grants per pupil and the ceilings, which I understand is subsection 5, and particularly subsection 4, which grants the principle of retroactivity, I find very disturbing. I find it very disturbing that we as legislators are being asked to re-enact those provisions.

I know the minister is huddling with his officials, but I have a suggestion for him quite specifically—He is granted power in this section under subsection 7, a new section, to lower the school leaving age to 14, provided certain conditions are met, which will be prescribed by regulation.

I am not sure I agree in principle with lowering the school age to 14. I do in the circumstances in which we find ourselves in Ontario, but we agree only because of the failure of our school system. If it were

working we would not find it necessary to provide this escape clause.

I would like to point out to the minister, Mr. Speaker, that his responsibility in this particular area is enormous and that the regulations should be brought before a standing committee of the Legislature before they are gazetted. In fact, that might not be a bad idea for all government regulations, including all regulations of the Ministry of Education. It would be one way of opening up government to the people of this province and removing suspicion from the minds of many people that this government acts in secrecy.

I think the important thing in devising the regulations under this particular section is that we must, very seriously, avoid the exploitation of children. We should not, for example, allow them to leave school simply to find jobs in the most minimal-paying industries; in the service industry at the minimum wage.

I would urge the minister that under the regulations a goodly portion of the time of these particular pupils must continue to be devoted to education in its truest sense of the word, whether that's on the job, partly at school or in some intermediate place.

Hon. Mr. Wells: Has the member read the regulations?

Mr. Foulds: If this section is new, the minister hasn't yet promulgated the regulations.

Hon. Mr. Wells: Draft regulations went all across the province.

Mr. Foulds: Well, why hasn't he sent them to our research office?

Hon. Mr. Wells: I guess the member's research office isn't smart enough to obtain it.

Mr. Foulds: As a matter of fact, on occasion this ministry has refused to send them to our research office.

Some hon. members: Never, never.

Mr. Foulds: Fine, we've got that on the record.

Hon. Mr. Wells: Those regulations have been out to the public for about four months, and they do exactly what the member says.

Mr. A. Carruthers (Durham): Smarten them up.

Mr. Speaker: Order please.

Mr. Foulds: I would also suggest that these regulations must have, I suppose, a three-point partnership; that is, the school, the work place and the social worker liaison of some kind. I would suggest that that would be absolutely essential. As I say, Mr. Speaker, given the wretched attempts to deal with the exceptions in our school system, by our monolith in the Mowat Block, I suppose that the minister and the ministry felt this section necessary, but I would like to emphasize it is necessary only because our system has failed.

In short, Mr. Speaker, this bill basically continues the status quo. It perpetuates a school system that places intolerable burdens upon teachers. It continues a system that fails to develop the full potential of our students and fails to inculcate in them a sense of their social responsibilities. It provides for a continuation of the ceilings, which unduly hampers some progressive boards; not all, maybe not even 50 per cent of them. It continues to look upon students as statistics. It continues to vest wide powers in the minister, over which there is little countervailing force, either through the Legislature or through the power of the local boards of education. It perpetuates power in the hands of bureaucratic administrators. It limits the power of students, teachers and citizens in vital educational decision-making. It refuses to take advantage of the tremendous educational potential of Ontario. It nowhere recognizes the rights of our ethnic minority groups, whether they be native people such as the Cree and the Ojibway, or Italian or Latvian. It nowhere recognizes the importance of creativity in the learning process.

In short, Mr. Speaker, it is not good enough in 1974 simply to bring in a consolidation of the former school Acts, to tinker here and there with a bit of new wording, to add a new clause here. It is not good enough to continue along the present path. We had an opportunity to re-create and redevelop education in Ontario. The government failed to take that opportunity. When I think of the number of manhours that must have been put in by the ministry officials simply in drawing together this consolidation my heart despairs, because I think of the enormous amount of work that must have gone into this and yet we are in effect not very much further ahead.

How much more profitable it would have been to have spent that time developing a new Education Act, an Education Act that would be truly worthy of the name, an Education Act for Ontario in 1974.

In 1974 we need an Education Act for the last quarter of the 20th century. This bill is not it. Mr. Speaker, we will not divide the House on second reading, but we will call for votes in committee on certain clauses at the clause-by-clause stage, and we will do that at the appropriate time.

Thank you, Mr. Speaker.

Mr. Speaker: The member for Parkdale.

Mr. Dukszta: Mr. Speaker, though it may be new, it is a supreme example of bureaucratic and legalistic pendantry. It has 226 pages with an occasional thought chasing vainly a rare idea.

The system of education in Ontario has serious structural faults which need to be thoroughly analysed, problems defined, and solutions devised. The Ontario government has not done so and, more dangerously still, has assumed that the Ontario system of education is the best in the world and needs only housekeeping.

Of course, the Education Act of 1974 is housekeeping, but the problems of education in Ontario are enormous and are not dealt with in this bill, not even hinted at.

Suppose right now we terminated all formal schooling including university and professional education, what would the effect on our society be? I posed this question before, but I would like to play this game again. Some might answer that society would disintegrate. Some might suggest that no calamity would ensue, as says the member for Lakeshore. Some might also claim that this kind of moratorium would be enormously welcome and beneficial.

If we move one step further and ask a more specific question, what groups in society would suffer most as a result of terminating formal education? Most of us would immediately assert that the losers would be the poor, the deprived, the mentally and physically handicapped, the lower socio-economic groups, the ethnic people, the native peoples and the teachers. Implied by this is our belief that the middle and upper classes, the professional entrepreneurs, the managers, etc., would be the least affected, and this is so because we recognize that these people have resources and access to resources that lower socio-economic groups and deprived people do not have.

Let us ask another question of ourselves in this game. What groups in society are suffering most under our present system of formal education? Most of us would be inclined to assert that the losers are the poor, the deprived, the mentally or physically handicapped, the lower socio-economic groups, the ethnic people, the native people, and the teachers.

Seven groups lose under our present system of education. I repeat: the poor, the deprived, the mentally and physically handicapped, the lower socio-economic groups, the ethnic people, the native people and the teachers.

The poor, the deprived and the lower socio-economic groups have been offered a model of education which stresses the ideal of equality, of upward mobility and of equal chance for everyone in principle, and in practice reinforces the status quo in a class-ridden society, teaches middle-class values to everyone, reinforces the class divisions consistently, and denies basic opportunity for continued education for the poor except for the most gifted, most brilliant and most outgoing members.

The hurdles that our education system sets up for the lower socio-economic groups are horrendous. Those of the lower classes who succeed have to be so much more brilliant, gifted and outgoing than any of their age peers from the better-off socio-economic classes.

The mentally or physically handicapped suffer from enormous difficulties. Our educational system largely doesn't even try to help them. In this House, this needs hardly any elaboration. Only last week, the member for Scarborough West (Mr. Lewis) made an impassioned and cogent plea for better treatment of the emotionally disturbed, where the child even with learning difficuties becomes a pariah in our system.

Among all these groups that suffer from our educational system I want to stress in some detail the difficulties of the children of immigrants of non-English origin. I do not want to minimize the problems of the native people by sin of omission—this needs a speech to itself—but I want to concentrate on the ethnic people. I shall include the Franco-Ontarians who, although after Indians are virtually the earliest arrivals to Ontario, are treated like and exhibit many problems of the newer immigrants; they are the perennial internal immigrants in Ontario, though they have the advantage that they can relate to another dominant cultural group in Canada, the French, albeit in another province.

What are the problems of the children of immigrants and immigrant families? The problems can be roughly organized into five main areas: 1. A large percentage of children of immigrant parents are under-achieving. 2. They lack the English language as it is

generally used. 3. Although their families have a high degree of motivation at home, it is inappropriate to our system; and the parents of the children find it difficult to deal with the schools in spite of this high motivation for their children. 4. The system is inflexible. 5. The system pushes the disappearance of original ethnic culture and language.

One notes in almost every school which children with an ethnic background attend, that at least 35 per cent to 40 per cent of all children read at an average level of one-half year to 1½ years behind the normal expected level. This trend is also noted in mathematics.

Many of the children enter kindergarten with a very limited speaking vocabulary—on the average about 700 words. Research has shown that pupils need 2,500 to 8,000 words in their speaking vocabulary and approximately 18,000 words in their passive vocabulary to go easily into reading.

Most children in immigrant areas come to school ill-equipped to function and progress in school. These children have not acquired enough of the language to make progress according to standard educational norm. They have not acquired enough language in their home. The problem becomes more acute as the children pass through the grades, and it is not uncommon to find pupils in a grade 6 class reading from a range of level two to level seven or eight. This deficiency has now allowed the pupil to achieve mental sets and thought processes which are conducive to progress in his formal education. Teachers' anecdotal reports, performance scores and psychologists' assessments find these children to be slow learners.

I submit to you from the beginning—and the evidence supports this—that these pupils might not be mentally deficient but are educationally disadvantaged by our system.

The difficulties I have listed cannot easily be solved by one major change, but recently some work has been done in bilingual education which suggests that there is a positive transfer of learning from one language to another. The work has been done not only in the United States but, nearer home, in Toronto.

I have in front of me a report issued by the research department of the board of education for the city of Toronto. It is called, "Transition from Italian: The First Year." It is written by Mary Purbhoo and Stan Shapson. It's No. 126. I'll read part of it into the record to point out the type of approach now being practised, albeit with great difficulties and no basic co-operation from the legal department of the Ministry of Education.

Hon. Mr. Wells: That's not so; that's not right.

Mr. Dukszta: Oh, I think it is quite correct—

Mr. Foulds: The minister should not be so obstructionistic about it.

Hon. Mr. Wells: The member is wrong.

Mr. Dukszta: Can I point out to the minister—

Hon. Mr. Wells: The member is wrong.

Mr. Foulds: It took over a year for the minister to give approval—

Hon. Mr. Wells: The member has been misinformed.

Mr. Speaker: Order, please. The member for Parkdale has the floor.

Mr. Dukszta: I would like to point out to the minister that although he morally supports this thing—and I give him credit for possibly morally supporting the whole approach—both the Schools Administration Act and the one we are now discussing, which subsumes that Act, basically will not allow the programme to proceed, except in a most voluntaristic playtime approach. That's what I am saying. Let me prove the point by reading part of this report and then commenting on it. The minister has reacted prematurely. Let him listen first.

Hon. Mr. Wells: Reacting prematurely? The member said we didn't support it at all, and that's absolutely wrong.

Mr. Speaker: Order, please.

Mr. Dukszta: Okay, Mr. Speaker. I will withdraw—

Mr. Lawlor: The minister doesn't have to be perfect.

Interjections by hon. members.

Mr. Dukszta: I will withdraw what I said that he is morally supporting it. What I am saying is that he is actually doing nothing to support this. It's lip-service.

Mr. Foulds: He is paying lip-service to it.

Hon. Mr. Wells: The members are wrong.

Mr. Foulds: Talk is cheap.

Mr. Dukszta: But let me tell you about the problem, Mr. Speaker. In September, 1973, two junior kindergarten classes at Gen. Mercer Public School, which is in my riding, began in a different way. Instead of being greeted with the usual "hello", "come in" or "good morning," the incoming children heard the familiar sounds of Italian, their mother tongue. They did not have to leave behind the language they were most familiar with when they had reached the classroom door.

These children were part of an experimental project, an Italian transitional kindergarten programme with a bilingual teacher and teaching assistant. The programme is designed to run for the two years of kindergarten, junior and senior. It begins with the teacher speaking mainly Italian. During the two years of transition, the use of the mother tongue means the introduction of a new concept need not be delayed because a word is not yet in a child's English vocabulary.

At the same time, English is introduced gradually. As a result, by the third year of school the pupils will be ready to enter a regular programme where they may begin to read and write in English. The programme was developed as a result of various pressures from the ethnic community and educators. Parents from various ethnic communities in Toronto have been increasingly vocal in recent years about the right to maintain their language, and the school's responsibility to aid their children in this goal.

Educators have found that students coming to school without sufficient command of the language or instruction in English, have, in many ways, been at a disadvantage. Some felt immigrant children were intellectually inferior, since they did not advance through the educational system at the average rate. In many areas, these children were viewed as problems the school had to cope with. Recently it has been recognized the academic failure of children from ethnic communities might result from other factors such as alienation, low self concept, or more basically, not knowing the dominant language and not being a member of the dominant culture. Academic failure, for this reason, was surely avoidable, and independent of academic ability, though not of achievement.

Bilingual education programmes acknowledged and used the child's mother tongue to improve the situation. Gudschinsky had documented early examples of successful second-language programmes. Modiano also showed the child would read better in the dominant, national language, if he is first taught to read in his mother tongue. Other advantages of second-language programmes have been higher self concept, and increasing number of contacts between parents and schools. Thus, it was not surprising that Tony Grande, a Toronto teacher, proposed that ethnic children be introduced to the educational system through the medium of their mother tongue. He hoped to reduce the academic failure, which he himself found sadly typical of too many non-English-speaking people.

Grande suggested use be made of the child's pre-schooling linguistic and cultural experience to advance his ability to speak, read and write in English. To set this objective, Grande proposed that children begin school with a bilingual teacher and assistant who would introduce curriculum content in their native language, while the children were learning the English language.

Based on the data of Modiano, he also felt reading and writing should be introduced in the child's mother tongue. Reading and writing in English would begin later, and shortly afterward the traditional all-English programme would be followed. In Grande's own words, the child would be introduced to reading and writing in his mother tongue, while at the same time, oral language development in English would be accelerated in an atmosphere that is relatively secure from the point of view of the child.

It is anticipated the pace of learning to read and write English will be considerably accelerated, due to the fact the pupils have grasped the principles of reading and writing in the mother tongue, until the students will be functioning better, or at least as well as, their English-speaking age-mates. This whole experiment, which I am describing here, is of some importance, and maybe the minister, who knows about it, should be partially proud. He would be even prouder if he introduced it generally.

In the spring of 1973 a report on the feasibility and financial and legal implications of implementing a foreign-language programme to elementary schools was presented to the Toronto Board of Education by the Educating New Canadians Committee. Among the items considered in this report was Grande's proposal for a transition programme for young children. As it turned out—and I think this is the important point which I am quoting to you, Mr. Speaker—Grande's proposal could not be accepted in its original form because the introduction of reading and writing in the mother tongue would not be

in accordance with the language requirements of the Schools Administration Act.

I have looked through your bill of 226 pages and I don't see this introduced or changed. This aspect of his proposal had to be amended before the programme could be implemented. Reading and writing would therefore begin in English. Although this had been one of Grande's major specifications he accepted the modification.

The board approved this special programme as modified in the report from the Educating New Canadians Committee and adopted a set of guidelines for consideration of proposals for programmes in languages other than English and French at the elementary school level. The method proposed by the board for the operation of this transition programme was outlined as follows:

(a) that the bilingual teacher instruct the children for two years; (b) that the bilingual lay assistant remain with the children for two years; (c) that the children be of similar linguistic and cultural background; (d) that the ethnic community be involved in the operation of the programme; (e) that oral instruction be in the children's mother tongue initially; (f) that there would be a research component involved in the programme; (g) that the regular pupil-teacher ratio be maintained in the junior kindergarten; (h) that the programme be of a developmental nature; and (i) that ethnic resource material be used, such as books and films, at a minimal budget increase.

In some ways, the programme would resemble the regular kindergarten programme. The pupil-teacher ratio would be the same in junior kindergarten and the programme would be based on the principles of child development. Furthermore, very little additional expense should be incurred. Mr. Speaker, by relying heavily on oral instruction in the mother tongue, the use of ethnic books, records, films and community involvement, the programme would be different. The board also asked that the research component be tied to the programme to aid in its evaluation.

Late in June, 1973, the Ministry of Education approved the modified version of the programme as a two-year project. Shortly thereafter, Italian was chosen as the language of instruction and Gen. Mercer as the school for its implementation. During the summer of 1973 all Italian-speaking parents who had children enrolled in junior kindergarten at Gen. Mercer were invited to attend a meeting at the school about an experimental transition programme.

It is of some importance to mention this here since one of the main objections against this programme is that many of the ethnic parents, concerned about the possible lack of upward mobility for their children, will reject this type of programme out of hand without realizing how effective it is that their children not only will be able to keep their own cultural heritage but will actually learn English faster.

From the initial show of hands in that original group, it appeared that interest would be sufficient to introduce two separate classes, a morning and an afternoon session. At first, some parents misunderstood the nature of the programme thinking that it would teach Italian. After this misconception was straightened out, parent interest seemed to be as great as before. A number of parents decided to enrol their children in the programme immediately following the meeting. Others waited until they discussed it further at home. A bilingual teacher and a lay assistant were assigned to the project. The teacher's summer preparation included working on plans for the programme in conjunction with consultants from the kindergarten department and collecting materials, such as books and records in Italian.

I read this in some detail to point out how it was done. I'll tell you that it has been very successful. I think it's a major pointer for the future and that's why I am saying the ministry should adopt this type of policy. The results on children's learning in the immigrant families suggests that the transfer effect does exist. The use of both languages encourages, promotes, facilitates and accelerates academic achievement.

The effect on the child is that the child will become a better reader of English. There will be an expansion of education opportunities for him or her. There would be a happier child due to elimination of conflicts in the home between his parents and himself. There would be better-integrated individuals who can make a better contribution to the community in which they live. He will be a more confident child in the present because he can keep in touch with the values of his parents and see wide opportunities for the future.

The effect on the community, where the school now has become more relevant to its needs, will be a greater support for the school by the community and a greater involvement by the community in the school's life. A major problem in an ethnic community is that parents have very little contact. Many would like to have contact with the school; unfor-

tunately, they usually have very little because language is an enormous barrier.

The last major effect is multiculturalism. We speak quite often of the policy of multiculturalism, yet it's mainly lip service. I have come to the conclusion the only way that we can, in fact, be fully sincere in our commitment to the multicultural society is to accept cultural groups characterized by their language rather than by their superficial cultural characteristics such as dance patterns or food habits. It is the language of each group which carries the culture forward. When the language is lost, the assimiliation occurs very quickly. It is interesting to note that presently, more and more ethnic groups are concerned in the preservation of their language, and are making an effort to push educational authorities to introduce language classes for adults as well as for their children.

Let us return to the original question of lists. Compare the answer to this quite different question. The lists are identical. With or without schools, the relative penalties are absorbed by the same members of our society. How do we resolve this basic inconsistency? Obviously, we must use caution in any approach we take. Recently there has been a great move in the educational community toward the Illich position of deschooling. It is a policy we must abandon for a number of reasons. The whole Illich position on deschooling is an example of gross middle-class elitism. It will merely benefit the people who already have all the natural educational resources at home, or who can apply themselves to an alternative system. If we consistently apply the full Illich model to our educational system we'll end up with a grossly under-educated proletariat. The people who will suffer are those who are listed already. The more outspoken anarchistic so-called libertarian children of the middle class will benefit.

On the other hand if we reject the deschooled argument, and decide to tinker with the present system in order to improve the opportunities of the listed groups, we must recognize from the work of Jenks and his colleagues reported in the book "Inequality," that tinkering merely maintains a status quo in equalizing opportunities.

Education of humans occurs primarily in the home, in the school, and at work. To devise a comprehensive and coherent policy, we must look at each of the sources to understand and suggest a policy. It is pointless to argue a position that fails to take into account each of the sources and their relationships. Education, as we use the term, is learning, and learners are all persons in our society. This has been partially recognized by the Ontario royal commission on higher education, living and learning.

The proposals I'm placing for the consideration of the House are the policy proposals of the New Democratic Party, as discussed and adopted in the party convention in Sudbury in September of this year. The analysis, and the policy, stems from the work of the education policy review committee. The committee was chaired by me and two other NDP members of the Legislature, the member for Port Arthur and the member for Nickel Belt (Mr. Laughren).

We met over a period of nine months prior to September of this year. The committee was composed not only of the three elected members, but a number of other people from the community including educators, students and even what is described as parents and lay people.

The policy I ask the House to consider is divided into four related parts. To understand the proposals, and attempt to relate them to the present system of education in Ontario, I'm dividing the proposals into four major groups. One is the learner sense of education; two is educational decision-making and finance; three is life-long education, and four, quality of education. For each part there will be a short preamble that will attempt to provide justification for the major proposals. These preambles focus on basic assumptions underlying the policy proposals. Although we have here but four major resolutions, the policy is intended as a comprehensive position that contains the philosophy, both for the party and for Ontario, how it may proceed, and how the party may proceed to implement this philosophy.

Many aspects of the resolutions are intended to bring attention to factors that have been rarely associated. I see this policy as one that deals head on with the economy and education, that deals with a coherent position on early education and upon later-life education, that faces up to the time-ridden problem of the quality of teacher-learner relationship, that acknowledges our own shortcomings of the past and has, above all, the basis for creating new democratic relations in our society. The NDP has committed itself to a learning society that emphasizes human growth over material growth. I would like to specify some basic assumptions before I go ahead and enumerate a more detailed algorithmic specification of our policy.

The NDP has committed itself to emphasize co-operation among humans rather than

competition. It is directed at equality of opportunity, equality of access and a better, more humane and more creative society. The policy must be implementable and must not penalize any segment of the society. Yet it must offer fundamental changes with far-reaching and beneficial effects. The policy must address itself to changing the quality of life in our society. It must present the means by which people can be productive, self-fulfilled and co-operative. It must redress the inequality that has persisted in hampering a wide sector of our fellow humans from being liberated economically, socially, morally and intellectually.

In doing this, the policy that is offered here is directed at the following propositions: The educational structure and processes that prevail in a society are a unique and clear expression of that society. Therefore, to bring about fundamental changes in education, one must first bring about fundamental changes in society. Unless education results in equalization of opportunities for all citizens, it fails in its most basic responsibility. Unless access of learning is equalized for all members of our society, educational structures will continue to uphold social and economic differences in society. Acquisition of the three basic skills—reading, writing and mathematics —is the most important and compelling training objective for schools.

Schools fail if they do not educate students to be aware of their own psychological, social and health needs and of others' needs, and to develop a moral and social responsibility for the fulfilment of this need. Schools must not be viewed as a certification for life in society, but as an end in itself. Education is the life-long process of learning for all members of society in the home, in schools and in work. Quality of education cannot be achieved without changes in the quality of the relationship between teacher and learner.

To return to the first point—learner-centred education—it has become evident that knowledge acquired under compulsion has no hold on the mind. For this reason the NDP of Ontario will concentrate its efforts in establishing an education milieu that recognizes and responds to the principle that society owes to the learner the best it has to give. Learner-centred education is education that has its start in a reference point that respects and responds to those talents and skills that the learner brings to the learning situation. This approach to education envisages an end to fixation with classroom instruction, buildings, authoritarian relationships, separation from the real world and the "hidden" curriculum characterizing the present educational system of Ontario.

The educational tragedy of postwar years is that the slogan "equality of education" is now ashes in our mouths. "Equality of access" has also proved to be a meaningless phrase, for the fact remains that access and equality are bonded to the realities of socio-economic differences. School programmes designed in one way or another to rehabilitate students of the list group that I have mentioned already have failed, because skills acquired in isolation from home and neighbourhood are perceived by learners to have no life function and therefore are educational "put-upons."

With this failure in mind the NDP recognizes the home and its neighbourhood as the first and final base of learning. In our socially stratified society, homes and their neighbourhoods differ enormously in terms of the quantity and quality of learning that they provide to their members. The question to be solved is: How do we establish policies that will equalize different homes and neighbourhoods with respect to educational opportunities? Again, that is a major point in which the present system has failed so lamentably.

The NDP is committed to equalizing opportunity, but in no sense contemplates making homes and neighbourhoods similar. Each home and neighbourhood has its own essential character, and the proposals offered here are intended to enrich these characteristics through local control. Evidence has accumulated to show that the learning process of a child is set in the first months and years of life, and that effective learning in the family and the home will determine the limit of the individual development of the particular child. Therefore we must allocate human and financial resources, educational and health workers, nursery schools and child-care centres to support early childhood education.

In order to ensure the learning opportunities, and in order to avoid the aridity of pious slogans, the government needs to employ some specific social and economic techniques to create equalization. The two concurrent drives that have occurred in our society—the drive toward changing the system of education and equalizing opportunities in education, and the drive toward day care —actually coincide very well, because an ideal daycare centre should not only be a place where the children are left when the mothers go to work, but it should be also a centre in which the children can learn. The particular proposal I am putting before you would com-

bine the two elements in which an attempt would be made not only to provide the children with day care so that the parents are free, but it would also be an essential enrichment of their life experience through means of a kindergarten or pre-school.

In addition we would suggest that a socio-economic index be calculated for each school catchment area. Secondly, in regard to pre-school education only, we propose that school areas be inversely funded in relation to their position on the socio-economic index. The consequences of this policy will be that lower socio-economic areas will receive major funds and resources to ensure that centres will be established and well run. Children of lower socio-economic families in middle-class school areas will not be penalized. Centres set up in these areas, with partial funding, will receive additional grants for those children from the lower socio-economic families. Obviously this policy suggestion is directly aimed at enhancing the opportunities for the list groups which I mentioned to the members in the beginning of this speech.

Implied in the position regarding early education is the establishment of learning centres. We advocate that these centres be locally controlled, while recognizing the virtual impossibility under the present system for working and poor-class parents to respond actively as local controllers. Many working-class people, due to labour conditions, ethnic backgrounds, shift work and their own experience as students, are hesitant and often unwilling or unable to assume responsibility for local control. Nor—even more important—are they provided with any opportunity to do so; nor are they really welcome in many of the schools where their language is such a barrier to them. With the implementation of this proposal, an educational climate would be established that would remove present barriers and facilitate full engagement of list-type parents in all educational activities.

Adult learning is equally as important as early childhood learning. In many therapeutic situations, the therapist is unwilling to deal with a child client unless both parents assume responsibility for supporting and encouraging the child. Similarly, early schooling cannot be effective without parental understanding and co-operation. Therefore, early-education centres will invariably involve three groups of people: (1) the centre's resource group; (2) the child as learner; (3) the parents as learners and resources.

In addition to these groups, each neighbourhood centre area will have educational workers, hopefully sensitive and responsive to the needs, problems and values at home. These workers will be viewed as a means of establishing an educational-social utility with the objective of motivating individuals and families to self-learning and development.

Learner-centred education begins by taking the individual family, home and neighbourhood as they are, and creating a support system to enable developmental care. For this reason, some of the proposals here are specifically aimed at benefiting the list groups, individuals, families and neighbourhoods. The major points are:

The major emphasis in the education of children must be placed on early childhood education, through community-controlled learning centres that are inversely funded in relation to the centre's catchment area on a socio-economic index. Educational neighbourhood workers would be employed to work with teachers, children and parents in the community, and those workers would assume a responsibility to actively provide assistance and support to every family seeking to create a better educational environment within the home. Why we are looking at this is to compare it to, I suppose, either the social worker or the public health nurse or some other type of individual like this who works in the community. We should provide for an educational helper of this sort who can move into the community and into the family to advise, to help and, if necessary to guide the parents and the children.

All school children should be exposed to aspects of their own and their peers' development and should be provided with practical training in working with children younger than themselves. It's a very effective way of increasing the learning of younger people, just as much as having good transfer effects on the older children who teach the younger ones.

Classes giving current information on nutrition and health and its prenatal and post-natal significance should be available to all learners, young and old.

Training in parenthood should be an integral part of the curriculum for all learners, young and old.

Prenatal, health and genetic courses should be available to all students and parents on a community basis. Courses for parents and siblings of children with special needs—mentally retarded, autistic, physically or perceptually handicapped—should be available in all schools.

Vocational and reform schools should be abolished and their students and staff inte-

grated into academic schools where all learners should be given the opportunity to develop manual skills. This is an extremely important point, since many of the complaints from the ethnic community at the moment are that because of the language difficulty that their children have, they are judged to be inadequate in our system and they are pushed toward vocational schools instead of being in a general academic stream, with a consequent effect on their ability to enter higher schools and universities.

The second major point is that for newcomers to Canada, all academic instruction at the elementary level should be provided in their own language, with English and French being phased in slowly over a period of years, so as to maintain their academic competence at a satisfactory level. Where there is a sufficiently large ethnic minority the language and its grammar should be taught, along with their culture and history, as optional subjects for study.

I was recently at a commencement at Parkdale Collegiate Institute, and I was struck that only one ethnic group was receiving, if I am correct, language classes in its own, original language, which was the Polish group. Yet when one looked around that school, in which easily 75 per cent of the pupils were children of immigrant parents, no other ethnic group had language classes of its own.

At the reception afterwards, I inquired of the students who were non-Polish whether they would like to, and I received a really enthusiastic response to the question. Most of them said they would, in fact, like to have classes in their own language. I do suspect that some of the people think it would be easier to do it — some of the students, undoubtedly. Originally the Polish students themselves thought that they could get away with a couple of classes more easily if they were done in their own language, but the development of interest in their own language grows on them and becomes quite fantastic.

Additionally, I think a competent translator should be made available through the school system to facilitate teacher-parent-child consultation where the parents do not speak the same language as the teacher.

Again, in the same school, a mother and father came to talk to me about a child who was at Parkdale Collegiate. They came to talk to me because they never did manage to get through to the one teacher who speaks Polish there, and they came to me mainly to inquire how their child was doing. They knew that I wasn't teaching there, they knew why I was there, but they came to inquire, in their own language, if I could find out how their child was doing. If we have someone in every school who can translate, then those things can be avoided.

More importantly, schools should assume the responsibility for ensuring that all learners are fully and adequately trained in the three basic skills—reading, writing and arithmetic. They are essential for each individual to function adequately in society and to achieve a basic degree of self-control.

The manner of instruction at learning centres, in the home and neighbourhood, and at school, should be varied to suit the needs of the learner.

The funding arrangement in relation to the socio-economic learning centre area index will also apply to elementary schools, and in this way list-group neighbourhoods and schools will be enabled to provide:

1. Curriculum training in the arts that can be left to the choice of the people involved—like ballet, drama, music, painting and sculpture—if necessary, to be an integral part of education;

2. Summer camps organized around interesting and valuable education projects;

3. Sports activities with the objective of physical fitness;

4. Artistic and summer camp activities so that artists in our society will be paid resource personnel in each school area. A re-examination of the educational system, curriculum materials and instruction should be made to exclude all sex, race, ethnic and anti-labour bias. To ensure the removal of sexism, all teacher trainees should have some experience and be educated by women's groups in the history, legal, social and economic factors underlying women's place in society.

While supporting the necessity of improved ways in our society for protecting the rights of all students, the native child and his family, because of the colonial history of treatment of native people of Canada, warrant special consideration and special financing of programmes for the foreseeable future. The education of native people totally and wholly is the responsibility of native people, and our educational resources are to be accessed, if desired, by native people.

Physiological and counselling services should be available to fully meet the needs of list-group homes, schools and neighbourhoods. The NDP will strongly support the

continuing development of Canadian studies programmes in order to strengthen cultural ties within our Canadian community and to preserve our national identity. Such programmes should teach an awareness of the bilingual heritage of Canada and, in particular, of our own Province of Ontario. They should also include a fair presentation of the contribution that Canadian women, labour and immigrants have made to the building of Canadian society. The use of school textbooks by Canadian authors with Canadian frames of reference and published by Canadian publishing companies will be encouraged and subsidized.

The second major proposal which I want the minister to consider is education decision-making and financing. The Ontario system of education is highly centralized. The present bill is making it even more centralized.

The trustee form of educational administration is, by and large, unresponsive to local needs and has evolved as the local instrument of ministerial policy. It takes an effort on the part of a trustee to be responsive to a community that he serves. Recent examples of the work of trustees in the city of Toronto show how much an effort it has become for some trustees to be involved with community groups and responsive to the community and community groups. It has become practically a full-time job. The way the job is designed right now with its marginal pay and marginal responsibility, it tends merely to provide the window dressing for the minister's decisions and policies.

The administrative structure of the school is authoritarian and revolves around the principal. Parents, students, and even teachers, tend to be peripheral to the principal's executive power. The difficulty of involving these groups in meaningful decision-making should not be underestimated, but arguments that many parents of lower socio-economic status or of ethnic origin are not interested in participating is largely an ad hominem value judgement, not related to the actuality of an educational structure which actively discourages participation.

The educational system has validity for any group of people only when they have participation in the decisions about the nature and purpose of the system. If opportunity for meaningful, non-tokenistic participation exists, parents, teachers and students learn very fast to participate. We have seen from experience in Toronto that when community groups begin to participate, they learn indeed to participate and to be expert in their own fields. It has long been known in the behavioural sciences field that a meaningful participation in decision-making about one's own fate significantly reduces the degree of alienation.

That is not to say there are no interesting experiments going on. In many schools in which alternatives to the present administrative structure are tested, teachers feel free and useful; the participation of parents and community is not only encouraged but actively sought and students are involved. Parents play a significant role in some middle-class schools. In many secondary schools an active student council plays a role in the administrative structure; and in particular school districts elected trustees keep in regular contact with the community groups.

All these efforts are voluntary in nature and depend on constant personal involvement. If that is lacking, the natural inertia of the system reasserts itself and the structure returns to its more usual authoritarian mode. It has to be realistically recognized that the psychological barriers that so typically divide schools off in the depressed and culturally different communities cannot be dismantled by a voluntary grassroots community movement led by a committed trustee or a member of a community. The community school is a powerful tool for community regeneration, and it cannot depend upon the good will and hard work of a few individuals in an isolated district. Community development and community redevelopment in a modern urban industrial society are essential facets of our society, and the school must play a role in this development.

What this bill does, of course, is exactly the opposite. It doesn't really change it; it merely modifies the already existing structure. Power has become more centralized, and according to the way I read it and the way I extrapolate the meaning of this bill, the power is more centralized now than it has ever been—and it will be even more centralized in the minister's hands. The whole present centralized educational structure should be remade. One way of doing it is to move the decision-making power in the ministry and in the other institutions straight to the local communities which, after all, are the final users and possessors of the schools in their district.

In our policy statement, the system would be divided into three main parts. The first level would be the home and school, the next level would be the community and school, and in the third level we are talking

of public and school. Let me try to explain this concept.

In the first level, which is home and school, the first unit is a local school. Though the community is involved, for after all the residents of the area pay property taxes for their schools, three groups are more closely involved: teachers, parents and students. It is these three groups that should participate fully in a school council.

The tripartite school council should be the key decision-making body in the school. Obviously the participation of students would depend upon their age and educational achievement, for we cannot very well move toward an elementary school in which the students participate fully in decision-making. But obviously in the later grades of the secondary schools, the students should participate fully and meaningfully in the decision-making on a school council.

The second level is the community and school. The term "community" defies exact definition. Some very large geographical units may have a sense of community and are characterized by the relationships typical of a community; yet, on the whole, large size precludes ease of relating and destroys a sense of community. In an urban setting, an area from 30,000 to 40,000, centred on its secondary schools and with several elementary schools, could constitute a school district which because of its size would be capable of sustaining a community council and yet would still be small enough that a sense of community would not be lost. The community council should be composed generally of directly elected representatives from all adults in the community and representatives from the school councils, with seven to nine members to be elected every two years.

The third level is the public and school. Though the minister is elected and thus de jure reports to the public, more direct participation of the public should be envisaged by the creation of an Ontario Council of Education which, unlike the Ontario Council of Health, should be more autonomous. Some members of the Ontario Council of Education would be appointed by the ministry, some would be elected from the community council and some would represent teacher associations and post-secondary institutions.

In general terms, the community council would be akin to the present board of education but with increased members, smaller districts and greater power. Any major act of decentralization must involve transferring detailed financial responsibility from the hands of the ministry to the community council.

The basic budget, rightly so, I believe, can only be decided at the governmental level; yet once the actual amount of money is allotted to an educational district, its community council should be able to decide upon its priorities and how to dispose of the money.

I would also like to say something about the teachers. Teachers are full and very significant partners in the educational undertaking. Their duties, as much as their rights, have to be recognized and codified. Like any other group in society they have a societal right to organize among themselves. This right to organize becomes nominal if their collective bargaining rights, whether with the board, the ministry or the parents, are destroyed by compulsory arbitration. The whole concept of an essential service as a means of compelling someone to work against his will is largely mythical, even when applied to hospital workers much more than to teachers, and should be seen not as an actuality but as a manipulative political act of the governing party. NDP policy already provides a clear opposition to any compulsory arbitration.

Promotion in schools has always led to teachers becoming administrators. If promotion to administrative positions were not the criterion for a greater increase in salary, then the teachers would remain in teaching.

The teacher is a trained individual, and though using volunteers, even students, as teaching aides is both useful and acceptable in the context of involving the community and blurring the hard edges of the professional role, volunteers should not become unpaid substitutes for a teacher.

The most difficult undertaking is the upgrading of the quality of education for the teachers, and on this subject this resolution carries no definite statements but suggests that any future consideration of the quality of a teacher's education programme must take into account that much of the preparation of teachers should be carried on outside formal academic classrooms, should be in the community or even in industry. To enable the teacher to become a learning resource person, the expansion of his training or change in emphasis is essential, especially in terms of the teacher gaining some knowledge and skill in the area of inter-personal and social relationships. In the context of sabbatical educational leaves being proposed for all working adults in Ontario, which is another major

point of which I will speak later, the teacher must have an opportunity for continuous education while remaining on full pay. Though a sabbatical is both an educational and a rest break for any professional or worker, it should be remembered that in our society the need for the continuous upgrading of skills makes a sabbatical leave a necessity for the educational system, just as much as for other systems.

The role of the principal should be changed to that comparable with the non-medical administrator in a hosiptal. In any event, the assumption of major decision-making responsibility in a school by a tripartite school council will bring, of necessity, a devolution and a change in the role and powers of the principal.

The fifth point will deal with students. Clearly, the recognition of student rights is long overdue. A bill of rights, along the lines of UNICEF and the rights of the child, should be legislated. To encourage students to play an active role in all school management affairs is not enough; students should be directly involved as co-equal partners in administrative decisions. The voting age for offices on the school council should be, or maybe could be lowered, to about 14 years.

The last point on this particular aspect is finances generally. Education is the general responsibility of everyone and should be paid for from graduated income tax on persons and on industry. To ensure that the consumer will not pay for educational benefits, some control over levels of profits is essential and industrial and business growth limits should be established. The present property tax should be phased out with all deliberate speed.

The third major section is life-long education. An NDP government would seek to provide, by example in the public sector, and by encouragement in the private sector, socially useful alternatives to post-secondary education. Community-initiated and community-controlled, independently generated learning projects would be government-supported to the same extent, to use an example, as programmes such as OFY. Alternatives for young adults would be funded as realistically as are traditional forms of post-secondary education. Subsidies would be made available as well to voluntary organizations, such as Pollution Probe, which make important contributions to the development of adult education.

An NDP government would, by legislation and example, provide opportunities for the employment of individuals who wish to pursue post-secondary education on a part-time or intermittent basis. Employees should have the right to time off for study purposes. They should also have incentives to participate in co-operative educational programmes. Students should be paid fair market value for labour performed in practical training situations. Part-time students would be as eligible for student assistance programmes as full-time students.

The present distinction between part-time and full-time students at both undergraduate and graduate levels should be abolished and complete programme integration should take place as soon as possible in order to give part-time students equal access. Where possible, scheduling should be on an extended day basis to ensure such access. It should also be possible for secondary school students to study part-time at post-secondary institutions. One of our key proposals in this policy is that the NDP government would devise legislation and/or structures to extend the sabbatical concept to make study leaves possible for all residents of Ontario.

We are most keen about this and we find this a most important aspect that everyone should have a right to a sabbatical, in the way we have been able to extend sabbatical leave to people who work at the universities. It is a great opportunity both for relaxation and for educational purposes, and this right should be extended to all workers and all residents of Ontario. The implementational difficulties are great, but if the desire is there and we've made a decision to do so, I'm certain we can extend sabbatical leave to all workers of Ontario in the same form as a university does.

Among other things in this part about education for adults, an NDP government would drop the three-year attachment to the labour force clause as a prerequisite for eligibility for OMR programmes. It would expand the scope of retraining to include services, such as general literacy training and pretraining. Special provisions for adults resuming their education are, of necessity, of great importance. Access to post-secondary educational institutions would be made more available to adults, and policies of free tution and family support would be linked to the guaranteed annual income system. All students who have dropped out of full-time or regular education for two years or more should have the right to admission to post-secondary institutions without formal requirements. Absence from the institutional schools for long periods of time should not affect a prospective student's eligibility for financial

aid. Moreover, any makeup work necessary for admission to a post-secondary institution should be provided free. Old people should be used as learning resources in the community.

Another aspect of this section is education in the work place. An NDP government would devise legislation and/or structures that would bring about a change in the responsibilities of all employers. In both public and private sectors of the economy, employers of 50 or more employees will establish, fund and staff educational facilities for their employees within their place of work. Employers of fewer than 50 will co-operate with other small employers to provide the required facilities. In addition, every employer will be expected to organize and fund physical and sports activities for his employees.

It is impossible for us to think of extending sabbatical leaves to the workers unless we provide by law that the worker who takes the educational leave has to be paid the same salary as he has been paid when he was working. Otherwise, the system will fail and lamentably will not be able to work.

The last remark on that third point which I am making on the policy, is extension of the public educational system to service adults. Major programmes of adult education, formal and informal, should be developed as part of the public education system.

Alternatives to the process of full-time schooling must be identified and developed, and incentive financing must be devised to encourage boards to experiment with such alternatives. The participation of business and industry, as well as the recreation and social service sectors, must be encouraged in order that learning environments in these settings be developed, allowing young people to arrange a variety of school-community action programmes. The educational system must be responsible for the development and assessment of these community programmes.

In addition to the Ministry of Education, an NDP government would seek the co-operation of other ministries, such as the Ministry of Lands and Forests or the Ministry of Health, in devising alternatives for young adults.

An NDP government would initiate an intense investigation into the curriculum of the formal school system. The new emphasis on lifetime learning based on a series of interrupted educational experiences brings into question the present curriculum based on the expectation of a youth-oriented educational system. If one assumes that education is lifelong, then not only do we need to correct the present failures of the educational system in the elementary and secondary schools, but we must make a major effort to introduce and to build a system of education for the adults which largely, if not totally, is now lacking in our society.

Again I should stress that the lack does not extend itself to all the classes in our society, since if one is privileged enough, one can always bring oneself to be involved in upgrading one's education. But the great majority of our population have no opportunity—and I mean especially workers—of extending their education or improving the quality of their life unless we adopt a series of the suggestions that the NDP education policy is presenting for the government.

The last part—and I am almost coming to the end of what I am saying—

Mr. D. M. Deacon (York Centre): What he is reading, he means.

Mr. Dukszta: No, I was doing both. I thought I was speaking just now.

Hon. Mr. Wells: A little off the principle of the bill on the last one.

Mr. Dukszta: I disagree entirely that we are off. We are talking of the system of education in Ontario and I am being critical of what the minister has failed to do. I am not going to be entirely constrained by the bill. The minister's responsibility is education and I am speaking to that, to the principle of the bill.

Mr. Speaker: Order, please, may we stick to the principle of the bill?

Mr. Dukszta: I am indeed speaking to the principle of the bill.

Hon. Mr. Wells: There is nothing in that bill to do with the secondary education.

Mr. W. Hodgson (York North): He's miles off.

Hon. Mr. Wells: However, carry on.

Mr. Dukszta: Thank you. The last part I would like to talk about is the quality of education. I sincerely hope that is on the subject.

Universal schooling, whatever else it does at present, or does not, ensures that economic relationships in society are held constant. To bring about fundamental change we need to examine and alter economic relationships. But the problem remains concerning the role that schools might play in assisting the onset of societal change.

When we ask ourselves what functions schools carry out, we can specifically state: the teaching of curriculum; the teaching of abstract and technical skills; the development of values, and the development of character building. But all of these learning activities are worked out through competitive, authoritarian and creatively stifling structures, and these are the factors that young people bring to the adult marketplace. Knowledge and skills that are learned in curriculum are reproduced in adult life, in social relationships, in every sphere of political and social life, not in terms of their intrinsic merit, but in the form of irrational authority, competition and rule-following.

Reward and privilege built into society and into the school are like money—they force the emergence of these factors at the expense of creativity, curiosity, skills and knowledge for their own sake. What is learned in schools is the rewards for these forms of behavior in society, and hence there are limits to school reform.

The schools sorts and certifies its pupils for society. In this pervasive evaluation process, social relationships are necessarily authoritarian. Over time, people have come to accept authoritarianism as a condition of human-kind. Such is the success of our schools. Instead of freeing, they often enslave. Instead of emancipating the minds of young people, they usually prepare our youth to fit into and maintain our present institutions and institutional arrangements.

What I am trying to say here is that our schools—and I have no real suggestion how we can change this—prepare us only for society as it is. The schools act as a fossilizing apparatus for continuing the status quo in our society. We have not inbuilt any possibility of change or of producing a different individual than we are producing already.

It is a question which cannot be solved easily. I don't intend to produce for this point any answers or even suggestions. I wanted to bring only to the notice of the House, at least to the notice of Hansard, if nothing else, some of the ideas that the NDP education policy has been thinking about and which have been become our platform.

One of the interesting ideas that we did discuss and which needs to be examined thoroughly over and over again, is that if we remove the necessity for certification or the necessity for specifying one's educational grades when we are applying for a job, we would probably strike a major blow for forcing society to approach an individual from the point of view of an individual and not what are his grades or what is his training or what are his degrees. That, I suspect, belongs in the realm of the future and not in the realm of the practical or possible, although it happens to be one of the more exciting ideas to me personally. But since nobody particularly is listening I presume I can go on saying it, if nothing else.

To enable us to remove the certification and sorting function from schools, we need to offer some proposals of change for the employment marketplace. Some time ago in Canada we decided to remove religious denomination from job application forms so as to avoid prejudice against applicants on the basis of their religious beliefs. Similarly, we could argue that educational background be excluded from the marketplace employer's information concerning applicants.

Mr. Speaker, I have presented these proposals which are in essence the NDP educational policy, not because I have even the slightest hope that the present government will implement necessary structural changes in our educational system, but as a blueprint for what the NDP, when in power, will implement.

Thank you.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker, I would like to speak to the principle of section 10, dealing with subsection 7. This is a section, Mr. Speaker, which is going to bring in new legislation to permit the minister to make regulations so that certain students, under certain conditions, may be excused from school at age 14 rather than having to stay until age 16.

The member for Port Arthur, as I recall, mentioned that he felt the system had failed, since this legislation was necessary, and in a sense maybe there is some truth in that.

The reintroduction of this section suggests perhaps the system has failed to require this. But then, of course, the member for Parkdale said that no one can benefit from being exposed to education under compulsion. I don't know where they stand on this subject, in the party to the left, but I think a few things should be said about it.

I personally agree there should be some alternative other than keeping kids in school until age 16, for two reasons. First, for those who are deriving no benefit from being in school there must surely be a better way for them; secondly, for those people in my own

riding, namely the Amish and old order Mennonite people, who because of religious conviction have not seen fit to keep their children in school beyond grade 8.

It is apparent to most attendance officers that after section 6 of the Schools Administration Act had been changed and clause C taken out in subsection 2, the Act was practically unenforceable. After a time, in many areas of the province, the Act was not enforced in its entirety to keep students in school until age 16. It was unenforceable for good reasons. In many instances it would have created hardships for students in the 15- to 16-year age bracket who were out working, happily employed, and contributing to the welfare and financial benefit of their families. I agree that was the proper thing to do.

In those areas of my riding where the old order Mennonite and Amish people, because of religious conviction, have their own schools —up to grade 8—it was most important to them to have their children, after that period, learn the fundamentals of good farming practices; their daughters learn housework, canning and storage and preservation of fruits and vegetables that is so much a part of their life.

But now, Mr. Speaker, there are foreseeable problems that could result with this section, depending on how the minister chooses to apply it. In an article in the Nov. 8 issue of the Kitchener-Waterloo Record, the school board foresees problems with this section because of a directive sent from the deputy minister, Mr. Waldrum, in rather strong terms—so the article in the paper said —with the recommendations.

The school board in my area feels the procedure recommended in this directive is a rather complicated and cumbersome arrangement. It would mean that the Ministry of Education has proposed that trustee committees be set up to approve each application after exhaustive research, and suggests they might be set up now, even though the legislation might be some time off.

It has been suggested to the Ministry of Education that there would probably be an easier and simpler manner in which to handle the problem. The individual hearing by a committee of trustees to deal with the problem would not be—and this is borne out by things previously said in this Legislature—as simple as an arrangement whereby if the pupil, the parents, teacher and principal, and a member of the school board agreed that the child is deriving no further benefit from being in school, an alternative arrangement can be made, satisfactory to all concerned.

The superintendent of operations said he has not only opposed the suggested committee, but the whole concept of a large formal operation. He has suggested to the Ministry of Education that a much easier and more effective system would be to have both parents and school officials meet with an outside party and make the decision as is done successfully in other provinces. But he said the minister didn't seem to think much of the suggestion. If and when the legislation is enacted it will simply make legitimate something that is happening now. This, Mr. Hunsberger said, had particular reference to the Mennonite students, on whom school officials now tend to turn a blind eye, and rightly so.

I just want to leave one thought with the minister, Mr. Speaker, and that is that this procedure, while it should be thorough and while all people involved with this decision should be made aware of it and have input into it, I don't think it necessarily need be a cumbersome system in which the school board is involved in any great formal proceeding. Thank you.

Mr. Speaker: The hon. member for Beaches-Woodbine.

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, I should like to direct the minister's attention, if I may, to one item in the report; it's page 136, section 22. I mention it now, Mr. Speaker, so that when the whole matter of the report goes into committee of the whole House he may have an answer to this problem for the committee.

This section reads: "Permit the school buildings and premises and school buses owned by the boards to be used for any educational or other lawful purpose."

In my area we have a public school, Kew Beach Public School, which has at the present time four vacant rooms. A group called the Kew Beach Co-operative Day Nursery would like very much to use that empty space, or part of it, for a day nursery, which we need in our particular area. They have made application which has now been approved by the Ministry of Community and Social Services; they have approved a grant to set up the capital requirements. The Toronto Board of Education are quite prepared to give a lease to this group to use the empty space, and the Community and Social Services ministry do require this lease. However, to take this action the school board does re-

quire the approval of the Ministry of Education.

I wish to bring that to the attention of the minister, and I hope when this does go into committee he may be able to bring in an amendment that would accomplish that purpose. I think, Mr. Speaker, that doing this would greatly enlarge the opportunity to have daycare centres in our schools, and with the declining enrolment here in Metro, and probably other parts of the province, I think this would be a very good use for empty school classrooms at the present time. I'll leave that, Mr. Speaker, with the minister.

Mr. Speaker: Does any other member wish to speak? The member for Nipissing.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I have a few comments I'd like to make in regard to the bill about changes that I expected but which haven't happened. The first that I'll suggest to the minister is on the question of the eligibility of electors.

Of course, in this bill we again see where it's a necessity for an elector for either type of board, separate or public, to be a Canadian citizen or a British subject, and that he have those same qualifications to be a member of either board. I think there are many people in this province who have come to the point where they don't accept that; they feel that it should be a prerequisite of membership on boards and of the right to vote that you be a Canadian citizen. The question of British subject I think should be dropped. Those people, if they desire the right to vote, should take out citizenship just like every other landed immigrant who comes to this province.

Hon. Mr. Wells: As long as you want them still to be Canadian.

Mr. R. S. Smith: Oh, yes.

Mr. Deacon: That's right, that's the point.

Mr. R. S. Smith: That's the point I am trying to make.

Hon. Mr. Wells: Some people don't even want them to be Canadian citizens.

Mr. Breithaupt: That is not acceptable.

Mr. R. S. Smith: I am not saying that.

Mr. Deacon: Especially with the new three-year policy.

Mr. R. S. Smith: I am not saying that. I am suggesting to the minister that he should amend his bill right through so that it reads "Canadian citizen", and not "or British subject." I think there are parts of the educational Acts, particularly in the Municipality of Metropolitan Toronto Act, which stipulate that Canadian citizenship is a criterion for sitting on the board. This apparently doesn't apply to the rest of the province according to these Acts, and I find that differential a little hard to understand.

So I would ask the minister if he would consider, between now and when this bill goes to committee, that amendments be brought forward to make this Act in concord with the Municipality of Metropolitan Toronto Act.

The other point that I wanted to bring up is perhaps a little more controversial. Section 116(3) again brings back the fact that in order for a person to be a supporter of the separate school system he must be a Roman Catholic. I think it is time we were past that stage, too, and that people have the right to choose to which board they want to direct their taxes and send their children for their education. This decision should be based on the fact that they are Canadian citizens and residents of the Province of Onthaio, rather than on their religious beliefs.

There are a number of people in my area who have chosen to send their children to the separate school system for a number of different reasons. They are not of the Roman Catholic faith, and because of that they have been forced to pay double taxation. They pay their taxes to the province, they pay their taxes to the local public school board, and then they are forced to pay a sum in excess of $500 per year for each of their children who attend the separate school system.

I think that is discriminatory, just as I tried to explain to the minister the other day that it was discriminatory that grades 9 and 10 weren't treated on the same basis in both systems, since they are recognized in both systems. Since both systems are recognized, I believe that the individual citizen should have the right to decide where he sends his taxes. I don't think the minister should be able to tell me or anybody else what system I want to support. I think it is almost a basic freedom that the government is taking away from the people.

Hon. Mr. Wells: The member is taking away the freedom granted under the Scott Act.

Mr. R. S. Smith: Pardon?

Hon. Mr. Wells: I will talk to the member when I deal with it.

Mr. R. S. Smith: If the minister wants to comment, it is fine.

Hon. Mr. Wells: No, I am just saying I am wondering if my friend has read the Scott Act and the history of the Roman Catholic separate school system in this province. You are suggesting the taking away of a basic thing that is unique to the Scott Act in the Roman Catholic separate school system. It is there for Roman Catholics. If others want to go, that is fine; but it is there for them. The Roman Catholic citizens of this province don't want other people to be able to direct their support there.

Mr. Deacon: That is not what I understand.

Mr. R. S. Smith: That is just not true. It is an untrue statement the minister is making.

Hon. Mr. Wells: It is not untrue. Can the member prove to me that the separate school trustees of this province and those who run the Roman Catholic system would like to have others to be able to direct their taxes to that system?

Mr. R. S. Smith: Oh, certainly I can.

Hon. Mr. Wells: Well, they have never told this to me in any meetings that we have had.

Mr. R. S. Smith: There have been representations made to the minister that every citizen be given the right to direct his taxes as he sees fit.

Hon. Mr. Wells: No.

Mr. R. S. Smith: And the minister knows as well as I that—

Hon. Mr. Wells: No, they haven't.

Mr. R. S. Smith: —representations have been made to him where there is, in the case of a mixed marriage—

Hon. Mr. Wells: Oh, now, that is a different situation. A mixed marriage situation; that is different.

Mr. R. S. Smith: The minister is not even dealing with that here, is he? He is not going to deal with that either, is he?

Mr. Speaker: Order. The member for Nipissing has the floor. The minister will have a chance to reply.

Mr. R. S. Smith: I would like to see him get into the debate. It doesn't hurt him once in a while.

Hon. Mr. Wells: The trouble is the member always seem to be wrong on his facts; that is his problem.

Mr. L. C. Henderson (Lambton): The member for Nipissing's party isn't agreeing with him.

Mr. R. S. Smith: The problem is that the minister always seems to be wrong in his answers. The fact of the matter is that people do want that right; many people want that right.

Many people within both systems want the right for a number of reasons. In my area, specifically, many people want to provide for their children a bilingual education or a French-language education, which is available to them in the separate school system and which is not available to them at all times in the public school system. For that reason, they want to send their children to the separate school system in order to allow them to avail themselves of that right, which should be a right in this province in spite of what Bill 22 says in our sister province. That doesn't worry me and it shouldn't worry the minister either.

The fact of the matter is that there has been no movement in this bill in either of those areas, in the first where both parents are non-Roman Catholics and in the second where there is the case of a mixed marriage. The Roman Catholic separate school system —as an historic event, which few seem to understand; you have read something back 80 years ago and you have based all your answers on that—has accepted, without the right to taxation, to educate many pupils from that type of marriage. In my area alone, it has cost thousands and thousands of dollars over the years to the supporters of that system, because of the stubbornness of this government in not bringing in equitable legislation. I would ask the minister to consider amendments in those two areas in committee.

Mr. Speaker: The member for York Centre.

Mr. Deacon: Mr. Speaker, I wish to support the views expressed by my colleague from Nipissing with regard to eligibility of non-Roman Catholics to send their children and to direct their support to separate schools. I find in my own area there are those who would like to do this and it is not to do with religious grounds. It is to do with other advantages that they have seen and that they have experienced, whether it is the spirit or whatever it is, in some of the separate schools that we have.

I would be very surprised, if the minister inquired, if there was opposition in either the Roman Catholic system or among Protestant groups to this change. I don't believe that still exists, because certainly when this question was discussed a few years ago and when the Canadian Council of Churches did their investigation into the situation in 1969, they indicated their very strong support for this change because they didn't feel a school system should be divided on denominational or religious grounds. They felt these should not be the criteria and it should be open to people to move to one or the other and, in effect, to have a choice between two school systems.

The second point I wanted to indicate is my support for my colleague from Waterloo North with regard to attendance. In York county, I was pleased on different occasions to find where there had been attendance problems that one way or another the school board worked it out, even though it wasn't perhaps quite within the regulations. They found that it was important for the youngsters that a way be devised whereby a youngster did not have to attend school and, in effect, got his education in another form for a period of time, until such time as that youngster maybe would be able to accept with a different spirit the education that was available to him or her. I think it is important that this attendance matter be modernized in this bill, and I am sorry that it hasn't been.

The third thing that bothers me very much is in clause 179 with regard to closed committee meetings. That is used time and time again as an excuse to keep the public out of the discussions so that they are unaware of the background for decisions made by the board. The board comes to a regular meeting where they have made their decisions beforehand in a closed committee meeting, and it is not the basis on which our policies should be developed and our decisions made.

I would hope that the minister would consider changing that clause so, in fact, the only time that a committee meeting could be closed is when it was dealing with a personal situation, a private situation, where it would be harmful if it were brought out into the open. But as for general board policies and general matters that are so often discussed in these meetings, I think they should be ruled out absolutely. No excuse should be given the boards for closed committee meetings unless it is for those specific matters of personnel situations.

With those comments, I hope that the minister will reconsider these clauses which my colleagues and I have raised.

Mr. Speaker: Does any other member wish to speak to the bill?

The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, I was interested, while listening to my colleague from Nipissing, to page through some of the sections of Bill 72, particularly with respect to the matter he first raised. That, of course, is the matter of the right to vote in an election for those supporting either separate or public schools in the Province of Ontario and the matter, of course, of Canadian citizenship.

I noticed in section 63(7) that a certain form was to be completed, a declaration with respect to persons who are objected to. I noticed in section 95 that the matter of citizenship is raised again and I saw it again under rural separate schools in section 97(6). In each of these cases, the matter of Canadian citizenship is referred to as a criterion for voting. However, another clause, unfortunately, is added on—a clause which no longer has any reason to be added on within the Province of Ontario. That clause contains those four words which we dealt with at some length in changes to the Municipal Elections Act when the Minister of Housing (Mr. Irvine) was Minister without Portfolio with responsibility for municipal affairs under the Treasurer (Mr. White).

At that time, some changes were accepted by the ministry and this phrase, "or other British subjects," was seen to be no longer a requirement within our society in Ontario. This especially becomes more important since the matter of citizenship is more available now with the proposed federal changes to allow a person coming from anywhere else in the world to become a Canadian citizen after three years within Canada. I think that three-year term seems to be an effective and reasonable balance as one acquires knowledge of a new society; yet one treasures, of course, the background and aspirations that one had in some other country.

I do think, though, that we have an opportunity, as we consolidate these various educational Acts, to once again stress the importance of Canadian citizenship. I would suggest to the minister that before this matter goes to committee, it would be worthwhile to reconsider the portions of the sections themselves to which I've referred and make the appropriate changes.

Canadian citizenship should be the only criterion for voting in Ontario elections,

whether it's for school boards, for municipal officials or for members of the Legislature of Ontario. I don't think that this ancient tradition that we have had has any particular meaning now. It is no longer the case that persons have come into our society who happen to have been British subjects, namely those from the British Isles, and who share with us many of the same backgrounds and traditions and, therefore, a presumed knowledge to be able to involve themselves almost immediately in our society and in our election patterns.

There was great merit in the days when that did happen, because persons coming from the United Kingdom were able to fit rather quickly into our way of doing things since it was, in most ways, a copy of the manners in which they were familiar. However, such is no longer the case when we look at the changes in the patterns of immigration into Canada. The matter of being a British subject is therefore no longer an automatic acceptance of the fact that the persons who happen to be British subjects have any necessary depth of knowledge of our society, because they may have come from a society much different, although it gives them the benefit to be called British subjects.

I think, accordingly, that the matter should be best resolved by depending for these benefits and responsibilities of election on the sole criterion of Canadian citizenship. I do not think that we discriminate against anyone that way. I think, rather, we encourage persons to involve themselves in our society, to accept a commitment by becoming Canadian citizens and by, in that sense, leaving the ties of an earlier involvement: but leaving those ties positively, with good memories and with a commitment to their own and their children's future, and I think that future is best moved forward by setting a certain dividing line. The dividing line, I think, should be that of Canadian citizenship, in a proud and positive way and not in any way something negative or derogatory of some other person or some other person's past. It is surely sufficient to call upon the people who are within this province who wish to join with us to accept the responsibilities of citizenship and to move forward with us to develop the kind of society within Ontario and Canada that we think should be for the mutual benefit of all of us.

I think the matter of citizenship is a sine qua non as we look forward to developing a sound basis of growth within the province. I hope the minister will reconsider this, as I have said, not on a negative basis, that we oppose or are against persons of other traditions, but rather to encourage those to join with us positively as Canadians so that we can develop the best form, in this case, of an education programme within the province that we can hope for. Just as we have called for this under the Election Act and under other statutes, we again call for it here. We think it is most important and we think the time has come that this kind of an approach should be taken positively, for the future not only of those of us who are within this chamber, as members of the Legislature, but also for the children and grandchildren yet to come, who can benefit from this kind of positive step forward as we look toward citizenship within our own country as the sole guideline upon which the right to elect trustees is based.

Mr. Speaker: Does any other member wish to speak on Bill 72 before the minister replies? Mr. Minister.

Hon. Mr. Wells: Mr. Speaker, I'd like to thank all the hon. members who have contributed to this debate. I found it very interesting to listen to comments on various sections. I think that we've heard these comments, exactly that, on various sections. We've also heard the New Democratic Party educational policy read for us, and we've also heard some comments on the principle of the bill.

I think we have strayed a fair deal from the principle of the bill. I think my friend from Windsor-Walkerville (Mr. B. Newman) stuck to it and then everyone else got off into little areas. However, I suppose in a debate like this, that is acceptable.

I agree with a lot of the things that my friend from Port Arthur says from time to time, but I think he got kind of carried away in this particular debate, because the principle of this bill is to consolidate the present education Acts, not to bring into this Legislature a new Education Act. It consolidates the Ministry of Education Act, the Schools Administration Act, the Public Schools Act, the Separate Schools Act and the Secondary Schools and Boards of Education Act. It does this for a very good reason, because we are now operating under these five individual Acts and the idea is to bring them together, take out the ambiguities, the duplications and the obscure references, to systemize the legislation, to get rid of some of the complexities and to make it a much more useful document.

This is the body of education law in this province that has grown over the 100 years that this province has been in Confederation. There were other consolidations. Consolidations have happened early in this century. There were consolidations around the years just before 1954, I think as a result partly of the Hope commission report, but of course not going as far as that commission suggested, we are now completing that job and consolidating that legislation.

This is the framework of the legislation under which one of the finest educational systems on this continent has developed. I am not going to say it is perfect. It is very easy to join the doom and gloomers today to criticize everything in our educational system, but it just isn't as bad as some people would say. I know my friend from Port Arthur wouldn't want to be accused of this.

We have to be very careful, in laying blame on the educational system, that we are not blaming all those in it. If the educational system in this province has failed, it means that I as minister have failed, and the trustees have failed. It means all the teachers of this province have failed in their job; and this certainly isn't so, I think my friend would agree.

Mr. J. A. Renwick (Riverdale): Stop strawmanning!

Hon. Mr. Wells: The teachers of this province have done an excellent job; parents are doing a good job; students today are learning more and better than ever. But I don't intend to get carried away on this line of reasoning because that is not really what this bill is about. It is not a new Act, it is a consolidation of the present legislation under which our present system has evolved. It is not like the system we had in this province 25 years ago. There have been changes in the legislation, but also in the system, and they occur under the general guidelines of this legislation.

Mr. R. S. Smith: In some respects.

Hon. Mr. Wells: Some of the guidelines this legislation allows us to bring in are regulations. I want to assure the members of this House, that, certainly since I have been minister, regulations under our legislation have been very throughly discussed with all those affected and who can bring input. I am sorry we didn't have available a copy for your group on the 14- and 15-year-old school leaving regulation. This regulation has been out for consideration over many weeks by the various school boards. We wanted them to give their input; and we got it, as my friend from Waterloo indicated. Some boards thought the regulation was good, others thought it too cumbersome. They have all come in now and we are looking at those—

Mr. W. Hodgson: Mr. Speaker, I wonder if I could interrupt and announce some results of the New Brunswick election. Hatfield has won with one more seat than when he retired.

Mr. Deacon: Nice to have a Tory win somewhere!

Mr. Breithaupt: It is not going to happen here.

Mr. Renwick: Tough for New Brunswick.

Hon. Mr. Wells: That's an omen of things to come.

Interjection by an hon. member.

Hon. Mr. Wells: Things to come, everywhere.

The regulations that have been and will be developed under this legislation are discussed fully with all those concerned. If my friend would talk to some of his friends in the Ontario Teachers' Federation he will find that we have been meeting for nearly 18 months on regulation 191 and others. We have regular meetings six times a year to discuss various changes contemplated.

We have the same kind of meetings with school boards. We have at least annual if not semi-annual meetings with home and school groups, educational officials and so forth. All the regulations this ministry develops are created co-operatively, because we are working as a team in this enterprise.

Under the legislation we have had, which now is consolidated in the Education Act, we are able to develop the real meat on our educational system. It is a system which, first and foremost, is concerned with the students. The emphasis, of course, changes from year to year. That is why you don't build these things into the legislation; you allow the guidelines under which we can develop a system, a system which first and foremost has as its objective the welfare of the young people, the students in our schools.

Let me read you one of the guidelines that is presently in the works; our primary junior guideline, which will be published very soon in the new year. Let's see how close it comes to some of the things that have been said in

this House. This is the guideline published under the authority of this legislation. It says:

> It is the policy of the government of Ontario that every child will have the opportunity to develop as completely as possible in the direction of his talents and his needs. We, on behalf of the educational community and other citizens, pledge support for an education that endeavours to provide a fuller life during a child's years in the primary and junior divisions, and endeavours to nurture every child's growth so that each may be able to continue his education with satisfaction and may share the life of the community with competence, integrity and joy.
>
> It follows that the curriculum will provide opportunities for each child to the limit of his or her potential:
>
> 1. To develop and maintain confidence and a sense of self-worth.
>
> 2. To acquire the basic skills fundamental to his continued education. [And, of course, that means reading and writing and speaking and mathematics.]
>
> 3. To gain the knowledge and acquire the attitudes that he needs for active participation in Canadian society.
>
> 4. To develop the moral and aesthetic sensitivity necessary for a complete and responsible life.
>
> It is equally the policy of the government of Ontario that education in the primary and junior divisions be conducted so that each child has the opportunity to develop abilities and aspirations without the limitations imposed by sex role stereotypes.

That's the kind of thing that goes into a curriculum guideline published under the authority of this Act. And this is part of the whole process of decentralization that has gone on within this ministry. I really reject the point of view that is put forward that this Education Act actually centralizes more power in the Ministry of Education, because it does not. The emphasis has been to decentralize, to give more authority to the school units.

Mr. Foulds: The legislation doesn't do that.

Hon. Mr. Wells: Oh yes it does.

Mr. Foulds: Your goodwill may do it, but the legislation doesn't.

Hon. Mr. Wells: We used to operate school inspectors. We don't inspect schools any more. Each school jurisdiction does its own inspecting, its own evaluation. We set general guidelines like this for curriculum. It's up to the school boards to implement them, to put the flesh on these bones, to do a lot of the things. They have a great degree of autonomy here, some of which is not exercised, particularly by trustees who are continually complaining about no autonomy.

An hon. member: Who are those regional officers?

Hon. Mr. Wells: Yet they give up and abdicate this complete area of curriculum where they have a great deal of autonomy.

Mr. Foulds: Because they have been so frustrated.

Hon. Mr. Wells: No, they don't meet frustration. Let me just give you an example.

You know I read that story about those courses in Chinese, and I support a lot of what the hon. member said about using as a language of instruction the native language of various of our ethnic groups to provide this transitional approach to education. We support this and we've tried to work with boards.

It's not something that you necessarily can do overnight. We've been working with groups. We've had experimental projects in the separate school board. I know that the Toronto school board has operated the one they have indicated there. We support this and we are working with many groups to develop it.

I read in the paper, as my friend did, that comment about the Chinese programme. Yet I find in checking my files that in December, 1973, we gave a verbal go-ahead to the Toronto board. We didn't receive anything formal from them until August, 1974, and after receiving a formal proposal in August, 1974, I sent a letter back on Sept. 23, 1974, approving the proposal. In return I got a very nice letter of thanks from the chairman of the Toronto board; "Thank you for the co-operation of the ministry and for the help that our regional director had given . . ." She ended up by saying:

> Children and adults in both school communities have worked very hard to get these programmes prepared. I am positive that we will learn many valuable lessons here which will be helpful in other bilingual-bicultural situations. We are most grateful for your co-operation and interest.

Now the ministry and the Toronto board worked hand-in-hand in developing those programmes. I think that probably the reporter who had written that story for the Star perhaps missed some of the pertinent

details about the development of that programme.

As my friend says, unfortunately, the Chinese programme in two schools in Toronto has been held up. No one has mentioned the Greek cultural programme in Frankland and Jackman schools which is on stream and which should be beginning in the new year. This again has been developed and will be a very good programme.

There is another component to that, not connected with the kind of transitional use of the language as a tool in helping the child to fit in and develop better in the school. These cultural programmes are also to help maintain the cultural heritage of these groups in the school, but also these programmes are going to be available in that school for members in that community who are not members of that cultural background. They will be able to attend those classes if they wish, too, in order that they might better understand the culture of what is a majority of the students in that school.

This is something that we wanted to get worked into these programmes and which the Toronto board has done in conjunction with the parents. This offers a great opportunity for a much better understanding of the culture in these neighbourhoods than was there before. I think these programmes are going to be very good.

As for the other comment that some members made, Mr. Speaker, I'm really going to leave, if I may, a lot of the comments about the various sections to answer when we go over this bill clause by clause in committee. I think the time to do that is there. I can review the Hansard and I will be prepared to answer. Some of the suggestions, I think we can accommodate. Others I don't think we can, but we can discuss them fully as we go through section by section in committee.

Mr. Good: Standing committee?

Hon. Mr. Wells: Standing committee, oh yes. I indicated a long time ago we would do that in standing committee.

Mr. Good: Yes, as long as the minister remembers.

Hon. Mr. Wells: I always remember. I never forget.

I just want to say, because this really relates very directly to the principle of the bill, which is consolidating these Acts, that in consolidating the Acts we are taking what has been known as the Separate Schools Act and putting it into this total Act.

As my friend from Windsor-Walkerville has indicated, there has been some concern in certain quarters about this. There are two sections in the Act which have been worked on long and hard by all of us to overcome those concerns, both those people in the separate school trustees' association and our own people. I think this is done, first of all, in part 4, which is the Roman Catholic separate schools section of the Act.

Section 79 says:

> This part applies to separate schools for Roman Catholics now or hereafter established and shall have the same effect as if this part were a special Act respecting separate schools for Roman Catholics.

That is the first section that is there to make sure there is protection guaranteed to those people. The second is in the very beginning of the Act, just before part 1 on page 10. It is set out as subsection 16 of section 1. It says:

> The consolidation in this Act of the Acts referred to in section 272 shall not adversely affect any right or privilege respecting separate schools enjoyed by separate school boards or their supporters under the Acts repealed by this Act as they existed immediately prior to the coming into force of this Act.

I think those two sections give protection and a guarantee to any of our separate school supporters who felt there was some problem, and some concern about amalgamating the Separate Schools Act into this consolidation.

Indeed Rev. Ray Durocher who is on the staff of the Ontario Separate School Trustees' Association has written some very helpful and explanatory letters on this matter that have appeared in both the Catholic paper and the Globe and Mail. He's been a great help to us. He's worked on our task force along with Donald Felker and Percy Muir and our own people. They have come up with some of these things to overcome some of the problems that were presented by various groups. Rev. Fr. Durocher feels that this answers that particular matter.

I think, Mr. Speaker, the principle of this bill is the consolidation of these educational Acts. We have removed obsolete references and we have systematized the legislation.

Because of the kind of legislation, and I guess the size of the educational system in this province, there are of necessity some fairly technical sections; but I want to assure my friends that our concern is for the children in the schools. That will always be the concern of this ministry and that is what

matters in this legislation. I guess of necessity, as with all legislation, we need technical terms. They look rather ominous, they look rather overpowering in legislation, but the spirit and heart of this legislation is the education of the young people in our schools and it will always remain that way.

Motion agreed to, second reading of the bill.

Mr. Speaker: I understand this is to go to the standing committee.

Hon. Mr. Wells: Standing committee.

Mr. Deacon: It is nice to have another bill go to standing committee.

Mr. Good: That is two in a row.

Hon. Mr. Wells: I can even get another one for the member.

Mr. Good: There are only seven in the last—

Mr. Speaker: Order, please.

HEALTH INSURANCE ACT

Mr. Walker, on behalf of Hon. Mr. Miller, moves second reading of Bill 145, An Act to amend the Health Insurance Act, 1972.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, we intend to advise that these bills might be called with respect to the Ministry of Health. They came on rather quickly and since they have only been printed about a day or so—

Mr. Renwick: The parliamentary assistant is not in his seat, so it has been improperly called in any event. The leader of the House introduced the bill from a seat other than his own.

Mr. Speaker: Order, please. It has been customary for the last several years for the parliamentary assistant—

Mr. Renwick: Mr. Speaker, on a point of order—that's all right, you get up and I will sit down—it hasn't been customary around this place for many years for this to happen, and you know it.

Mr. Speaker: Order, please. It has been customary since we have had parliamentary assistants. In fact they were requested to move over to the opposite side so they would be facing the main questioners.

Mr. Renwick: With the permission of the House.

Mr. Speaker: Well, do we have permission for the parliamentary assistant to sit on the right of the Speaker?

Agreed.

Mr. Renwick: Certainly he has permission, provided he has the courtesy to ask for it.

Mr. G. W. Walker (London North): Mr. Speaker, I would be very pleased to request the permission of the House.

Mr. Renwick: Mr. Speaker, on a point of order, the bill was not properly introduced. Will the parliamentary assistant please now, having the consent of the House to do so, introduce it properly?

Mr. Speaker: In my opinion the bill was properly introduced.

Mr. Renwick: Mr. Speaker, with the greatest respect for the opinions which you are giving off the cuff without consideration, the parliamentary assistant is required to ask the permission of the House before he moves from one seat to a seat which is not his own, and any proceeding taken by that person from a seat other than his own in this assembly is out of order. Now, let's abide by the simple courtesies of the rules of the House.

HEALTH INSURANCE ACT

Mr. Walker, on behalf of Hon. Mr. Miller, moves second reading of Bill 145, An Act to amend the Health Insurance Act, 1972.

Mr. Breithaupt: Might I ask, Mr. Speaker, before we proceed, whether since the bill does not appear as printed on the order paper it is proper to proceed with the bill?

Mr. Renwick: Of course it isn't. It is not on the order paper.

Mr. Speaker: I am sorry. I missed the point.

Mr. Breithaupt: On the order paper, Mr. Speaker, the bill is not marked as printed.

Mr. Renwick: It is not on the order paper.

Mr. M. Gaunt (Huron-Bruce): It is not on the order paper at all.

Mr. Breithaupt: Perhaps, Mr. Speaker, you could advise us as to whether, even though

the bill does appear under item 34 on the order paper, it is proper to proceed with it when it is not marked as being printed?

Mr. Speaker: No, that's true. I hadn't noticed that. The member is quite correct. If you wish to delay it, we will have to delay it. Is that the wish of the House?

Mr. Renwick: I think the bill should be stood down, Mr. Speaker.

Mr. Speaker: Is that agreed?

Agreed.

Mr. R. F. Ruston (Essex-Kent): Five minutes. It's close enough.

Mr. Breithaupt: Before the adjournment motion, Mr. Speaker, could we inquire as to whether it is the intention to proceed with this bill and Bill 146, as well as with the bills standing in the name of the Attorney General (Mr. Welch), Bills 140, 141 and 142, tomorrow evening? Perhaps the Minister of Agriculture and Food does not know that.

Hon. W. A. Stewart (Minister of Agriculture and Food): I am sorry, Mr. Speaker, I just don't know.

Mr. Breithaupt: Thank you.

Mr. R. S. Smith: Does anybody over there know?

Hon. Mr. Stewart moves the adjournment of the House.

Motion agreed to.

Mr. Reid: Here comes the House leader. Maybe we can find out before we adjourn.

Mr. Speaker: Order, please. We will allow the House leader to clarify the question if he can. Did he hear the question?

Mr. Reid: What is going on tomorrow?

Mr. Speaker: This is a request for tomorrow's programme.

Mr. Breithaupt: Mr. Speaker, I will just put the question again. Might it be the intention of the House leader to go ahead with the two bills standing in the name of the Minister of Health (Mr. Miller), Bills 145 and 146, tomorrow evening, since we will be dealing with that no-confidence motion tomorrow afternoon?

Hon. Mr. Winkler: Yes, that is quite correct, Mr. Speaker. At the beginning of business tomorrow we will deal with the notice of motion standing in the name of the member for Scarborough West; then we will proceed with these two bills, to be followed, if required, by the bills as I called them in the name of the Attorney General.

The House adjourned at 10:30 o'clock, p.m.

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No. 128



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Tuesday, November 19, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: The member for Sarnia.

Mr. J. E. Bullbrook (Sarnia): Thank you, Mr. Speaker. I have the pleasure of introducing to you and those of our colleagues who are here, 40 grade 10 students from Northern Collegiate Institute and Vocational School in the city of Sarnia.

Mr. V. M. Singer (Downsview): Mr. Speaker, in each of the east and west galleries are 25 students from William Lyon Mackenzie Collegiate Institute in the sovereign riding of Downsview. May I point out, sir, that this is the second visit within a week of students from William Lyon Mackenzie, and I am told there will be another large group of students coming down from that magnificent institution next week again.

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I would like to take the opportunity to introduce to the Legislature some fine students from Denis O'Connor High School in Whitby, the greatest town in the Province of Ontario. I would like you to welcome the 60 students and Mr. Modeste, their teacher.

Mr. Speaker informed the House that the Clerk had received and laid upon the table the certificate of a by-election in the electoral district of Carleton East.

PROVINCE OF ONTARIO

THIS IS TO CERTIFY that in view of a Writ of Election dated the 30th day of September, 1974, issued by the Honourable Lieutenant Governor of the Province of Ontario, and addressed to Stanley A. Hicks, Esq., Returning Officer for the Electoral District of Carleton East, for the election of a Member to represent the said Electoral District of Carleton East in the Legislative Assembly of this Province in the room of A. B. R. Lawrence, Esq., who, since his election as representative of the said Electoral District of Carleton East, has resigned his seat, Paul Taylor, Esq., has been returned as duly elected as appears by the Return of the said Writ of Election, dated the 15th day of November 1974, which is now lodged of record in the office.

(*Signed*)
RODERICK LEWIS
Chief Election Officer

Toronto Nov. 18, 1974.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would inform you that my colleague, the new member for Carleton East, will be joining us at approximately 3 o'clock at the termination of question period, as per the instructions from your office, sir.

Mr. S. Lewis (Scarborough West): This is a bit premature, Mr. Speaker. You forgot the protocol.

Mr. Speaker: I guess I was a little anxious.

Mr. Lewis: The new member isn't to be rushed into this madness.

Mr. J. R. Breithaupt (Kitchener): Or out of it.

Mr. Speaker: Statements by the ministry.

NORONTAIR CONTRACTS

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, I am pleased to announce results of the tenders for the selection of air carriers to implement the expansion of norOntair to northwestern Ontario. Several private air carriers took the opportunity to bid for the norOntair contracts, hence the selection has taken place in a very competitive atmosphere. As a result, two carriers have been selected to operate this extended service.

Air-Dale Ltd. has been selected to operate one service between Thunder Bay, Wawa and Sault Ste. Marie. Operational and market considerations require an intermediate site between Wawa and Thunder Bay and intensive negotiations are under way to identify a site, one of which is Terrace Bay. It is hoped that the first norOntair service over this new route will take place in the summer of 1975. This, of course, is subject to the approval of the Canadian Transport Commission and the federal Ministry of Transport.

In the region north and west of Thunder Bay, the joint bid of On Air Ltd. and Canadian Voyageur Ltd. has been selected. Subject to the completion of detailed negotiations, these firms will provide norOntair service in the northwestern communities of Fort Fran-

ces, Dryden, Kenora, Atikokan, and Thunder Bay. The first stage will consist of service between Fort Frances, Dryden and Kenora in the spring of 1975. The second stage will provide service between Fort Frances, Atikokan and Thunder Bay, and will commence when the airport at Atikokan is completed. Once again, these provisions will be subject to the approval of the Canadian Transport Commission and the federal Ministry of Transport.

Mr. Speaker: Oral questions.

Mr. A. J. Roy (Ottawa East): That is a sad front row there.

ENFORCEMENT OF MORAL STANDARDS BY LIQUOR LICENCE BOARD

Mr. R. F. Nixon: I'd like to ask a question of the Minister of Consumer and Commercial Relations, and things like that. In view of the decision by Mr. Justice Keith awarding an injunction in the matter that was raised in the Legislature and in the press a few days ago, is he now prepared to instruct the chairman of the Liquor Licence Board to desist from acting as censor on behalf of the authority that the minister has in these matters in the Province of Ontario? Is he going to indicate to the Liquor Licence Board that the judgement should not be appealed?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): No, sir. I had a brief conference earlier this afternoon with counsel who argued that case and he advised me that he was going to recommend to his senior in the Ministry of the Attorney General, for certain technical reasons with which I won't bore the House now, that an appeal be launched. He takes a position that it is wrong in law, and I would rather not make any comment as a result of that because it is apparently still sub judice.

Mr. R. F. Nixon: A supplementary: Since the matter is indicated to be sub judice, will the minister indicate to the chairman of the board that he should not act as censor until this matter is settled by the courts?

Hon. Mr. Clement: Mr. Speaker, I believe that is the position the chairman has already indicated, that until the matter is clarified, it should not be the subject of any more controversy until it is decided one way or the other.

Mr. Bullbrook: By way of supplementary, would the minister not agree—

Mr. Speaker: Order, please. The member for High Park was on his feet first for one supplementary.

Mr. M. Shulman (High Park): In view of the judgement and the minister's recent statement, will he countermand the instructions that were issued on Nov. 4, saying that any establishment that showed films would lose its licence?

Hon. Mr. Clement: No, Mr. Speaker.

Mr. Shulman: He won't?

Mr. Speaker: A final supplementary. The member for Sarnia.

Mr. Bullbrook: A supplementary: Would the minister not agree that the matter is not sub judice at the present time, since the appeal hasn't been launched; and in view of those comments, would he not respond that this isn't totally a matter of law, but a matter of policy direction from his responsibility?

Hon. Mr. Clement: I would take the position, in view of the advice of counsel given to me, that while technically it may not be sub judice, it may very well be within a very few hours.

Mr. Speaker: Any further questions?

Mr. Lewis: A supplementary: Why would the minister hide behind legal technicalities—

Mr. Singer: Non-existent legal technicalities.

Mr. Lewis: —on something that is essentially a social decision which he as minister must make?

Hon. Mr. Clement Well, Mr. Speaker, perhaps the members opposite know—if they don't, I'll refresh their memories—that the board has taken a very positive view in these matters insofar as dining lounges only are concerned and not with regard to straight lounges. The reason it has taken this view, which the hon. members apparently feel is an infringement on, say, personal rights, is that people under the age of 18 are legally admitted into a dining lounge to eat; the board very properly, I suggest, has taken a tough view on these matters. Insofar as a straight lounge is concerned, to my knowledge the board has never made any such direction or request of any proprietor, this

being a matter solely within the purview of the local police.

Mr. Speaker: Does the hon. Leader of the Opposition have further questions?

Mr. Shulman: May I ask a further supplementary?

Mr. Speaker: The final supplementary was asked two supplementaries ago, as I recall.

The hon. Leader of the Opposition.

LONDON YOUTH DETENTION CENTRE

Mr. R. F. Nixon: I would like to put a question to the Chairman of the Management Board in the absence of the Attorney General (Mr. Welch).

Does he recall approving an expenditure of public funds for the building of a new youth detention centre in London which would replace the present London Observation Home? Is he aware that although that approval was made many months ago, the building has not been constructed and the contract that was to have resulted in its construction has apparently lapsed? The result has been that the structure currently in use has been condemned by a grand jury and indicated to be a hazard to the life and safety of the occupants. This has led to the decision by the Attorney General to summarily take the young people out of that home and transfer them by paddywagon to a similar facility many miles away.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, it's a difficult question for me to respond to positively, but if the hon. member would give me a very few minutes I'll get him the answer. I think it has been approved.

Mr. R. F. Nixon: A supplementary: In the absence of a number of his colleagues pertaining to this important matter, would the minister look into the serious problems that have arisen from the delay in the building of this home, which has meant that 12 young people, I believe, were removed from that facility over the objections of a family court judge and without any assistance from the social agencies involved, certainly making the problems of these young people much more severe than they were even to begin with?

Hon. Mr. Winkler: Mr. Speaker, I am well aware of the dialogue that has taken place about the objections that have been made public. As I said, if the member would give me a very few minutes, I'll get him the definitive answer.

Mr. Singer: By way of supplementary, at the same time as the minister is doing his investigation, could he perhaps confer with his colleague from London North (Mr. Walker), who was reported to have said on television not too long ago that the new facility was not in this year's estimates, probably wouldn't be in next year's estimates and he didn't really know when it was going to be put back?

Hon. Mr. Winkler: I haven't heard that statement but I'll have a look at it.

Mr. Singer: I would appreciate that.

Mr. Speaker: Any further questions?

CSAO NEGOTIATIONS

Mr. R. F. Nixon: I have a further question of the Chairman of the Management Board. Is he correctly quoted in this morning's Globe and Mail when he said a second offer to the Civil Service Association had been approved by the Management Board 10 days ago? If that is so, why didn't he make the second offer in place of the first offer so that we might have had a better chance of the Civil Service Association approving the situation?

Hon. Mr. Winkler: Mr. Speaker, I am sure that the hon. member is aware of the negotiation procedures and they were that the starting offer was—exactly, as I believe the 61½ per cent was—never ever meant to be a final point as far as the CSAO was concerned.

While the member has asked me that question—

Mr. I. Deans (Wentworth): While he is on his feet, he will read a couple of letters.

Hon. Mr. Winkler: No, no, I am not going to do that!

Mr. J. F. Foulds (Port Arthur): The minister can't read.

Mr. J. E. Stokes (Thunder Bay): He is saying he never puts his best foot forward.

Hon. Mr. Winkler: No, that's not right. But I'll tell you one thing, Mr. Speaker, in this controversy—

Mr. Speaker: Order please.

Hon. Mr. Winkler: —that I cannot understand, is the report that appears in the To-

ronto Sun this morning. It is quoting Mr. Darrow saying, "I am confident that our negotiating team will be back at the bargaining table this week," when in actual fact, as I have already stated, we did communicate with the headquarters of the CSAO and the answer that came back from that communication was they refused to deal with us until Dec. 2 or maybe 3.

Mr. R. F. Nixon: A supplementary: Would the minister explain what he is talking about when he is quoted as saying, "I am going to give them one more chance to bargain in good faith, then I am going to the press"? Is the press going to settle this one? What is he talking about?

Hon. Mr. Winkler: No, that is not quite right. The Leader of the Opposition knows I don't have to reiterate what programme was carried on in the press before we started to bargain insofar as the CSAO is concerned.

Mr. R. F. Nixon: The minister means he is going to take—

Hon. Mr. Winkler: No, no, I'll simply make the offer public.

Mr. Deans: Don't do that.

Hon. Mr. Winkler: Up to this particular point in time I have acted in what I have considered the very best of faith, but I am afraid we haven't had the same co-operation.

Mr. Deans: Don't do that.

Mr. Speaker: Supplementary; the member for Scarborough West.

Mr. Lewis: Is the minister saying that he has made a specific second offer to the bargaining committee of the Civil Service Association?

Hon. Mr. Winkler: No, I am not, because they haven't come back to the table.

Mr. Speaker: Any further questions by the Leader of the Opposition?

Will the member for Scarborough West ask his questions?

LAND SPECULATION TAX

Mr. Lewis: A question of the Chairman of the Management Board, in the absence of the Minister of Revenue (Mr. Meen); I think it should go here.

Is the minister aware that Finance Minister John Turner has finally and assertively said he will not accept the land speculation tax in Ontario as a deductible expense, and when will the government therefore bring in its legislation to amend the Act as it now stands?

Hon. Mr. Winkler: I am not aware of that but I'll take the question as notice on behalf of the Minister of Revenue.

Mr. Roy: A supplementary, Mr. Speaker: I wonder if the minister might advise us when the people who have paid a 50 per cent rate can expect a refund? And, second, when is the government going to pay interest on the money which it has taken without legislative authority?

Hon. Mr. Winkler: Those are answers too, Mr. Speaker, that must come from the Minister of Revenue.

Mr. Singer: Why wouldn't the government accept our amendment?

Mr. Speaker: Order, please.

The member for Scarborough West.

FOOD COMPANY PROFITABILITY

Mr. Lewis: A question of the Minister of Consumer and Commercial Relations. The minister will recall his food study report comment that further profit increases on the scale of 1973 don't appear to be necessary for the companies in the study; the George Weston profits having been reported substantially in excess of 1973, will he now meet with and report to the House on his discussions with the senior people in George Weston as he said he would do with Maple Leaf Mills?

Hon. Mr. Clement: At this stage I won't undertake to meet with them. What I will do—and I am prepared to do this—is to communicate with that particular firm to ascertain if I might have a further breakdown and detail of it, because that might satisfy my inquiry. On the other hand if it doesn't, then I would be prepared to meet with the senior executives of that particular firm, yes.

Mr. Lewis: By way of supplementary: As these companies in the minister's own food study one by one exceed the profit levels which he established as legitimate for 1973, how then does he intend to deal with them in toto as it emerges?

Hon. Mr. Clement: Mr. Speaker, I will cross that bridge when I come to it. I have no particular concept in mind. I want to know the breakdown; I want to know whether the increase is attributable to increased sales or sale of capital assets or any of those other components that go into a financial statement. If it is some of those and not relative to food cost increases then any inquiry or suggestion by me might well be improper.

On the other hand if it does relate to the sale of food, I think that we should know how this is allocated and derived and pass that on to the consumer, so that he and she might well make a considered choice in dealing with any particular firm.

LAND SPECULATION TAX

Mr. Lewis: May I, in effect, redirect to the Minister of Revenue, Mr. Speaker, and ask the Minister of Revenue, when does he intend to bring in the amending legislation to do with the Land Speculation Tax Act, which he said would never have to be done? How does he intend to compensate those who have already paid the existing moneys?

Mr. Roy: The member is encroaching on my question.

Mr. Lewis: I am encroaching but I think I can.

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, I don't think I ever said that such an amendment would never be done.

Mr. Singer: The minister did.

Interjections by hon. members.

Mr. Speaker: Order, please. The minister is answering.

Hon. Mr. Meen: I am advised that at an earlier time this afternoon someone made the statement in the House that the Minister of Finance has stated that the land speculation tax is not a deductible item. I wish he would show me where in the budget statement he saw it, because I haven't found it yet. In any event, as to any amendments that would be forthcoming, I think we will have to consider that in due course.

Mr. Speaker: The member for Downsview.

Mr. Singer: By way of supplementary, will the minister now choose to rephrase the comments he directed toward the amendment I moved, suggesting that the tax be adjusted and rebated, if and when the government of Canada decided it was not deductible? The minister may well remember those comments and, if he would like, I could refresh his memory.

An hon. member: Silent Art.

Mr. Roy: Supplementary, Mr. Speaker.

Mr. Speaker: Another supplementary; the member for Ottawa East.

Mr. Roy: Could the minister advise us what happened to the proud boast of the Treasurer (Mr. White) who said he was going to take the federal government to court? Secondly, when can people expect a refund and is he going to pay interest on that refund?

Hon. Mr. Meen: I will take those questions as notice.

Mr. Speaker: Any further questions by the member for Scarborough West?

FATHER-LED FAMILIES

Mr. Lewis: I would like to ask the Provincial Secretary for Social Development has her policy group met to discuss the increasing frequency of a very particular problem of father-led families, which fathers are not entitled to the same social allowances as single-parent mother-led families are entitled to, for the purpose of sustaining the children over a period of time until the father seeks further or other employment?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, as was reported in the press, this issue is under active study by the policy field. We do recognize that there is an inadequacy here, but rather than looking at this particular issue and three or four other such cases, we feel the whole policy should receive a very careful review and we are doing this at the moment.

Mr. Lewis: By way of supplementary: While the minister is making a change in the policy to reflect current social attitudes, would it be possible to use the special right given in the General Welfare Assistance or Family Benefits Act in order to provide the four cases now actively before her—one of them is my constituent, and there are three other fairly classic cases—with some support until she makes her general policy provisions?

Hon. Mrs. Birch: Mr. Speaker, I understand that they are all being assessed very carefully individually.

Mr. Speaker: Any further questions?

Mrs. M. Campbell (St. George): Supplementary.

Mr. Speaker: Supplementary.

Mrs. Campbell: Would the minister not consider that at some point in these deliberations the welfare of the child or the children should take precedence over this kind of stereotyping in the ministry?

Mr. Speaker: Order, please.

Mr. Lewis: That is perfectly legitimate, Mr. Speaker.

Mr. Speaker: Has the member for Scarborough West finished? The Minister of Transportation and Communications has an answer to a question.

GO-URBAN SYSTEM

Hon. Mr. Rhodes: Mr. Speaker, yesterday the hon. member for York-Forest Hill asked a question regarding the licence payments from the Ontario Transit Development Corp. to Krauss-Maffei. I am informed that the licence agreement called for two payments of $500,000 each from OTDC to Krauss-Maffei and, in return, two payments of $250,000 each from TUSCAN, which was Krauss-Maffei's Canadian subsidiary, to OTDC for a sub-licence.

At the present time, OTDC has made one payment for $500,000. The second payment has not been made. On the other side of the ledger, OTDC has received two payments of $250,000 each from TUSCAN. At present then, there has been no cash flow from Ontario or OTDC to Krauss-Maffei that has not been recovered from the Krauss-Maffei company or its affiliated companies.

Mr. P. G. Givens (York-Forest Hill): Supplementary: On the question of recoverable expenses, which flows from this answer, with respect to the very costly Scarborough corridor survey which cost many thousands of dollars and which will be attributable to the GO-Urban question, is that recoverable from Krauss-Maffei?

Hon. Mr. Rhodes: Mr. Speaker, I don't believe I could answer that at this time. I would say, though, that surely the hon. member would accept the fact that a study of a corridor does not necessarily determine what particular mode will go in that corridor, and that surely if you are going to put in any type of transit system in any part of this municipality or anywhere in Metro, there would have to be corridor studies.

Mr. Singer: That means it is not recoverable.

PETERBOROUGH BYPASS

Hon. Mr. Rhodes: Mr. Speaker, I wonder if I would be permitted one very short answer to a question from the hon. leader of the New Democratic Party, who yesterday requested information concerning the studies that were done as regards agricultural land when dealing with the corridor for the Peterborough bypass? I would like at this time to table this information for the hon. member and others who might be interested.

Mr. Singer: Will the minister show Ontario Housing how to do a survey?

Mr. Speaker: The member for Rainy River.

ACTIVITIES OF FUND-RAISING ORGANIZATIONS

Mr. T. P. Reid (Rainy River): Thank you, Mr. Speaker. I have a question of the Minister of Consumer and Commercial Relations. Has the minister had any complaints or reports to his office in regard to what are referred to in the press as boilermaker operations for raising funds for various charities?

Hon. Mr. Clement: Yes, we have had those as long, I think Mr. Speaker, as the ministry has been in existence.

Mr. Reid: Does the minister intend to take any action to control these, as in the general view the public is losing all faith and credibility in some very legitimate charitable organizations because of the operations of these outfits?

Hon. Mr. Clement: Mr. Speaker, I think there was a news release not too many weeks ago dealing with this very thing. The practice, of course, is usually to identify with a bona fide charity in a particular area and utilize the name of that charity for a small percentage of the moneys which are raised in this fashion. It seems to be a very popular thing during the Christmas season; orphans kind of spring to the forefront in

November and December of each year although we hear very little about them in the other months.

There is legislation, Mr. Speaker, called the Charities Accounting Act, which is really a little-known piece of provincial legislation which provides that any person, as I recall the Act, who has any reason to believe that a charity, or an alleged charity, is not being used for a proper purpose, can apply and obtain an order for an accounting of the proceeds of that charity before a county court judge. We will eventually be proceeding with introduction of specific legislation dealing with this sort of thing.

When matters do come to our attention, Mr. Speaker, we invariably communicate very quickly with the local police force involved, I am pleased to say. In many instances they amount to an absolute fraud. These type of people, unfortunately, are always with us. It is not that type that I am specifically concerned about, but the type that is on the fringe of being quasi-legal is the one that causes me the concern.

Mr. Reid: A supplementary, if I may, Mr. Speaker: Are there any guidelines the minister can give the public to indicate which are legitimate charities and which aren't, and how they should respond to these requests?

Hon. Mr. Clement: Yes; I believe it was two or three weeks ago—I may be in error as to the time—we published some guidelines to the public, I believe through a radio announcement, telling them to inquire of their better business bureau or chamber of commerce in their own community to ascertain if in fact this organization, the charity or the group, is known to that particular organization, be it the better business bureau or chamber of commerce, or to call our ministry or one of our local offices.

Telephone solicitations are usually the way they operate. I implored the public, in that particular news announcement, not to commit themselves as a result of any telephone canvass. Very often if the person will ask the canvasser to come around to the office and talk it over, he will just never see them again; because they don't waste the time, they go on to the next name on the list. I would request the public not to respond; if they don't respond these things will ultimately die.

Mr. Speaker: One more supplementary; the member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, the minister is still not able to control the professional fund-raising organizations. Is the minister prepared to accept legislation, such as I introduced and we discussed at some length during the private members' hour not too long ago, in an attempt to license and control professional fund-raising groups?

Hon. Mr. Clement: Mr. Speaker, I recall the member's private bill; I remember reading it and I remember listening to him debate it some time ago. It is our hope that the business practices Act, which has already been introduced before this House, may well be the proper instrument not to license but to control the assertions, many of which are completely in error and false, made by those people when fund raising, usually by telephone solicitation. But I am prepared, if that Act does not meet the needs, to consider specific legislation along the lines recommended by the member for Windsor-Walkerville.

Mr. Speaker: The member for Port Arthur.

THUNDER BAY TEACHERS' DISPUTE

Mr. Foulds: Mr. Speaker, I have a question of the Minister of Education. Can the minister report on his efforts at mediation in the Thunder Bay secondary school teachers' dispute last week? Can he contradict the reports in Thunder Bay that such mediation talks were fruitless?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I guess that in the context that the matter was not settled, they were fruitless. We met with the teachers and the board on Thursday evening and Friday. There were certain small movements on both sides. They didn't, as I recall, ever get together across the table during those days, but there were communications that went back and forth on some positions. At about 5 o'clock last Friday it was decided that nothing more could be done here and both sides would go back to Thunder Bay.

The Ministry of Labour mediator told each side he stood ready to be of assistance if they wanted him again, and I impressed upon both sides, very clearly, that they had to solve this dispute themselves and they had to solve it by negotiating, so they had better not get into positions on either side where they were charging each other with

bad faith and they had better keep talking. That's the way it was left.

Mr. Foulds: A supplementary, if I might, Mr. Speaker: Can the minister take the House into his confidence enough to let us know if he impressed upon the Thunder Bay people the desirability of negotiating working conditions, including the class loading size and the grievance procedure? Did he come away with the impression that that was one item that would be negotiated or, at least, talked about across the table in the next few days?

Hon. Mr. Wells: I must say that I went away with the impression, if I can frankly share it with the member, that if the money matter could be solved the others would be able to be solved. That was the impression that I left with.

Mr. Speaker: One more supplementary will be allowed from the member for Windsor-Walkerville.

Mr. B. Newman: In light of the inability of boards and teachers to get together to resolve their differences, as witnessed by the situation between the secondary school teachers and the Windsor Board of Education—

Mr. Speaker: That's not supplementary to the original question.

Mr. B. Newman: —would the minister consider changing the original legislation in an attempt to resolve such differences?

Mr. Speaker: Order please. That can be a new question later. The member for Downsview.

SOUTH MILTON DEVELOPMENT

Mr. Singer: Mr. Speaker, I have a question of the Minister of Housing. In view of the fact that the minister told us last Thursday that in the middle of October, 1973, the value of the land in the South Milton area ranged from $6,000 to $8,000 an acre, could he explain the strange dealings with the lands owned by one John Ignatius Micaleff who entered into an agreement on Dec. 12, 1973, to sell it to one Smith? I'm talking about 100 acres at $3,300 an acre. Smith then agreed to sell it to Bonnydon, one of the companies we talked about; Bonnydon agreed to transfer it to Moccasin Trail and then, on Jan. 16, 1974, Moccasin Trail agreed to sell it to Gibson Willoughby Ltd., apparently nominees of the government, for $5,500 an acre.

An hon. member: They sure got on the trail, didn't they?

Mr. Breithaupt: That's free enterprise.

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I have indicated to the House before that I will be tabling all related information in regard to this land transaction. If the hon. member for Downsview has some other facts which he could present to me, I would appreciate receiving them at the earliest possible moment in order that we can get our answer into the House.

Mr. R. F. Ruston (Essex-Kent): Doesn't the minister have that information?

Mr. Roy: Has the minister got time for it?

Hon. Mr. Irvine: We're meeting with Gibson Willoughby today. If the member has other information I would certainly appreciate receiving it.

Mr. Singer: By way of a supplementary, is the minister not aware that our facilities are such that the only information we can get are by searches done in limited time by our limited research staff at the registry office at Milton?

Hon. Mr. Irvine: Mr. Speaker, I'm well aware that the official opposition does have some deficiencies—

Mr. Singer: Yes, in staff.

Hon. Mr. Irvine: —but I'm hopeful that it won't interfere with this particular transaction which we're trying to resolve. I will look into it in every aspect possible. If the member can assist, again I would look forward to his co-operation.

Mr. R. S. Smith (Nipissing): Our facilities are not as good as the minister's.

Mr. Speaker: The hon. member for Thunder Bay.

WINTER MAINTENANCE ON HIGHWAY 11

Mr. Stokes: Mr. Speaker, I have a question of the Minister of Transportation and Communications. In view of the representations made to the minister about the atrocious condition of Highway 11 between Beardmore and Geraldton after the 12-in. snowfall last week, and in view of the serious accidents that occurred as a result of the road conditions, would the minister undertake to instruct his regional staff to give a

higher level of maintenance, particularly with regard to winter conditions, on that stretch of highway?

Hon. Mr. Rhodes: Yes, Mr. Speaker. I'm aware of that situation and I am hopeful that we can rectify it for him.

Mr. Breithaupt: It better not snow after Jan. 1.

Mr. Speaker: The hon. member for Waterloo North.

OCU REPRESENTATION

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. I have a question of the Minister of Colleges and Universities. Is he doing anything to satisfy the request of the part-time undergraduate students to be represented on the Ontario Council of Universities, according to the resolution which was presented to him some time ago?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, I have the resolution, but I have not done anything about it yet. The purpose of the representation on the council is not to represent specific groups as such, but to represent the various aspects of post-secondary education in the university field. There are at present two students on the council. I would be the first to admit that there are different problems that the part-time university students have. I am giving it consideration, but I haven't come up with a specific recommendation, although I may do so shortly.

Mr. Speaker: The hon. member for High Park.

ENFORCEMENT OF MORAL STANDARDS BY LIQUOR LICENCE BOARD

Mr. Shulman: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. What is the status of the North Finch Tavern and the other establishments in Downsview which were instructed as of this week they may not have entertainment of a somewhat topless nature?

Mr. R. F. Nixon: Is that only on one side?

Hon. Mr. Rhodes: How can one be somewhat topless?

Hon. A. Grossman (Provincial Secretary for Resources Development): Doesn't the member know the difference?

Hon. Mr. Clement: Mr. Speaker, I must admit I'm somewhat confused by the nature of the question.

Mr. Foulds: That is not unusual.

Hon. Mr. Clement: I was under the impression that the member for High Park was qualified to practise medicine in this province, and he has led me to doubt very much whether perhaps his practice has been as successful in that area as I might have thought.

Mr. Breithaupt: Just somewhat.

Hon. Mr. Clement: As for the places named in the member's question, as I understand the situation, they did have topless dancers fully exposed from the centre parts up. Most of them, as I understand it, were of the female sex.

They are dining lounges, which means that they are for the sale of food and of liquor with the purchase of meals. People under the age of 18 are allowed to attend these restaurants. The board made its recommendations some three weeks ago with notice to the operators involved. As far as I'm aware, that's the situation at the present time. The order has not been amended or countermanded by the board, to my knowledge, since this matter was touched upon in the press some three or four weeks ago.

Mr. Shulman: Supplementary.

Mr. Speaker: One supplementary.

Mr. Shulman: Why one? In view of Mr. Justice Keith's instructions or ruling that the board may not censor entertainment, is the minister not going to pass the word down to the boss down there that at least for the time being he should leave the girls alone? If I may sneak in a quick second supplementary, will the minister also stop his restrictions on the Ontario tender fruit industry?

Hon. Mr. Rhodes: Do they go together?

Mr. Breithaupt: Now he's gone too far.

Mr. M. Cassidy (Ottawa Centre): A related question.

Hon. Mr. Rhodes: Is that the same bar?

Hon. Mr. Clement: Mr. Speaker, in the first place I don't sneak the word in with the fellow downtown. We don't politically interfere with the decision of any board. It makes its rulings and its policy on the basis of its experience in this type of situation. I would not sneak the word into the man downtown.

Mr. E. W. Martel (Sudbury East): The boss.

Hon. Mr. Clement: In view of the recent judicial decision, if those establishments decide to alter their present situation, I'm sure they'll seek legal advice and act as they are advised.

Insofar as the tender fruit industry is concerned, Mr. Speaker, coming from the Niagara area, I am grateful for the question from the member. I think he refers to a young lady who was alleged to be dancing in Niagara-on-the-Lake with a cherry in her navel; that, Mr. Speaker, is part of a woman's anatomy. I thought I would tell him because he wouldn't know that.

Mr. Shulman: Which noun?

Interjections by hon. members.

Hon. Mr. Clement: Now it seems a most peculiar place for that type of object, Mr. Speaker, but when I read that in the press I thought it was perhaps her way of paying tribute to the tender fruit industry. All that I can say in regard to that question, Mr. Speaker, is I am glad we don't grow watermelons down in Niagara.

Hon. Mr. Rhodes: I wish the new member for Carleton East was here now.

Mr. W. Hodgson (York North): Does the hon. member for High Park want to ask a supplementary?

Mr. Shulman: Not after that!

Hon. Mr. Grossman: That is a hard act to follow.

Mr. Roy: I am not going to try. I am going to stay off that stuff.

Hon. J. P. MacBeth (Minister of Labour): He can't upstage that one.

Mr. Speaker: The member for Ottawa East.

ACCESS OF ONTARIO WORKERS TO QUEBEC LABOUR MARKETS

Mr. Roy: Mr. Speaker, a question of the Minister of Labour, a question I have directed on a number of occasions to his predecessor:

Has the minister got together with the Quebec Minister of Labour to resolve the problem of free access to the labour markets of Ontario by Quebec workers, whereas Ontario workers cannot go across the river in Ottawa, for instance; they are prohibited from working on the other side and in fact they are sometimes mistreated in the Ottawa area, as well as in the Cornwall area and in the area of Prescott and Russell.

Hon. Mr. MacBeth: Mr. Speaker, I was still recovering from the laughter from the last question and didn't hear the first part of this question. But I gather that the hon. member is concerned about the fact that we are more lenient with Province of Quebec workers than they are with ours. My predecessor, as I understand it, raised this matter with the Minister of Labour in Quebec several times. In fairness, it has been a matter that my deputy has pressed me from time to time to raise with the present Minister of Labour in the Province of Quebec. For one reason or another—no good reason, sir—I haven't yet done so, but I have been waiting a suitable opportunity and perhaps I should make that suitable opportunity.

Mr. Roy: Well, if I might ask a supplementary—

Mr. Speaker: One supplementary.

Mr. Roy: Mr. Speaker, does the minister not think it is time that he got tough with the Quebec Minister of Labour, in view of the fact that his predecessor's attempted negotiations over quite a period of time met with no apparent success, as well as the fact that it is causing hardship not only to the workers in some of the border areas, but also to some of the construction companies there? Isn't it time that we used a bit of reciprocity, in that if access is not given to Ontario workers in Quebec, we should do the same in relation to Quebec workers?

Hon. Mr. MacBeth: Mr. Speaker, I agree it is high time that I did something about it and will undertake, with the hon. member's prodding, to do something as soon as possible. I don't think, however, that two wrongs make a right. I don't think the treatment we are getting from Quebec on this matter is the right course. I think the treatment we are giving the Quebec labour workers, in terms of their access to the Ontario market, is best for national unity and actually is best for the people of Ontario as well.

As I say, I don't think two wrongs make a right, but I will do my best immediately to see what persuasion I might have with the Minister of Labour in Quebec.

Mr. Speaker: The member for Stormont.

Mr. G. Samis (Stormont): Could the Minister of Colleges and Universities look into the possibility of abuse regarding the issuing of temporary certificates and the possibility of adding more inspectors in eastern Ontario regarding the issuing of those certificates?

Hon. Mr. Auld: I am sorry, Mr. Speaker. Would the hon. member repeat the question? I am afraid I didn't get the first part.

Mr. Samis: Could the hon. minister check into the possibility of abuse in regard to the issuing of certificates to Quebec workers working in eastern Ontario and the possibility of increasing the number of inspectors who have control over this?

Mr. Lewis: Did my friend mean Labour?

Mr. Samis: Yes, Labour.

Mr. Lewis: He meant the Minister of Labour.

Mr. Speaker: Is this meant to be a supplementary question of the Minister of Labour?

Mr. Samis: Yes, it is.

Hon. Mr. MacBeth: I hesitate to ask the hon. member to repeat the question again —I realize it is the third time—but I thought I was off the hook on the last question. If he will repeat it again I will do my best to answer it.

Mr. J. A. Renwick (Riverdale): Let the minister's colleague answer it. He is from eastern Ontario.

Mr. Samis: I ask the minister if he would check into the possibility of abuses regarding the issuing of temporary certificates to Quebec workers coming into Ontario and also the possibility of expanding his staff, who are responsible for issuing these certificates in eastern Ontario?

Hon. Mr. MacBeth: Mr. Speaker, I don't know whether there are abuses, but I will be glad to act on the member's suggestion that there may be abuses, and I will include that in my investigation.

Mr. Speaker: The member from Windsor West has a question.

BIG BROTHERS OF METRO TORONTO

Mr. E. J. Bounsall (Windsor West): Yes, a question of the Minister of Labour, Mr. Speaker: Is the minister not very concerned, and if he is, what is he doing about the strike of social workers at Big Brothers of Metro Toronto—especially as the board rejected the memorandum of agreement negotiated by its own representative—and that aspect of the bad faith bargaining involved, particularly as the agreement called for salary levels well below that recommended by the Ontario Association of Professional Social Workers—salaries which are being met for social workers at other United Way agencies.

Hon. Mr. MacBeth: Mr. Speaker, yes, I am concerned. This is a matter where I believe the solicitor for management recommended, or at least signed an agreement in connection with it.

Mr. Lewis: Signed it?

Hon. Mr. MacBeth: They have been on strike since Oct. 31. It was recommended to management, and management rejected it. I was speaking as recently as noon today to Mr. Dickie in regard to the matter. We are concerned, sir.

Mr. Speaker: The hon. House leader has an answer to a question which was posed earlier.

Mr. J. Dukszta (Parkdale): Supplementary, Mr. Speaker.

Mr. Speaker: We are just about out of time for questions, so I think we should conclude. Well, one supplementary from the member for Parkdale.

Mr. Dukszta: I would like to ask the Minister of Labour whether Mr. Roy McMurtry, who is the present chairman of the Big Brothers and who is a great and good friend of the Premier (Mr. Davis), has any effect on the minister being maybe less than totally and realistically objective in this matter?

Mr. Speaker: The member seems to be straying from the original question.

Mr. Deans: It is a good question.

Mr. Lewis: Well, it says something about the social views of the chairman of the board, regardless of his influence.

Mr. Speaker: Does the hon. House leader now have his answer?

LONDON YOUTH DETENTION CENTRE

Hon. Mr. Winkler: Mr. Speaker, in responding to the Leader of the Opposition, I would like to inform him that the financial implications of the construction of the juve-

nile centre in London have in fact been approved.

Mr. R. F. Nixon: I wonder if I might be permitted a supplementary. Can he tell me the date upon which that approval was granted by Management Board?

Hon. Mr. Winkler: No, I just accept the information as I have it.

Mr. Speaker: The member for Windsor-Walkerville. I am sorry, the member for Nipissing was on his feet earlier. We will give him a chance.

NIPISSING SEPARATE SCHOOL BOARD

Mr. R. S. Smith: I have a question of the Minister of Education, Mr. Speaker. Since the Minister of Education appointed a special inquiry officer to look into the question of the number of native people who are registered as students under the Nipissing Separate School Board, and since he has in his hands receipt of the inquiry officer's report, would he inform the House when he will make this report public, and what his intentions are after he has made the report public?

Hon. Mr. Wells: Mr. Speaker, in answer to that question, I think I would like to read into the record a letter which I wrote on Nov. 1 to the chairman of the Nipissing District Roman Catholic Separate School Board:

> Dear Mr. Klein:
>
> On Sept. 18, 1974, I appointed Mr. Glyn Lamprey, QC, as a commission to inquire into and to report to me on several aspects of the educational situation in the Nipissing area.
>
> Mr. Lamprey has now completed a very thorough study and has prepared for me a comprehensive report outlining his findings.
>
> According to his investigations, 103 Indian pupils were enrolled both on Sept. 4, 1973, and on Sept. 3, 1974.
>
> On the basis of this information, I would request that the Nipissing District Roman Catholic Separate School Board proceed immediately to appoint a representative of the Indian pupils.

I might say that I have written similar letters several times before to that board.

> It is my understanding that Mr. Laurence McLeod, who was duly named by the band council as their representative, is now unable to serve. Therefore, I would recommend that the band be asked to submit another name and that the substitution of this name should in no way hold up the appointment of this representative.
>
> I would appreciate your immediate attention to this request and I would also like to be notified as soon as action has been taken.

I just received today a letter back from the board saying that they again dispute the 103 pupils, and would like to see a copy of Mr. Lamprey's report which he made to me. I am making arrangements to have the board receive that report.

Mr. R. S. Smith: Supplementary, Mr. Speaker: When will the report be made public?

Hon. Mr. Wells: I would like to show it to the board and then decide whether the board wishes to make it public.

Mr. Speaker: The member for Ottawa Centre.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. Cassidy: Thank you, Mr. Speaker. A question of the Minister of Housing: Can he confirm that the province is, in fact, now considering acquiring the Edwardsburgh land assembly for industrial and agricultural purposes, as he was reported as confirming in the Ottawa Citizen last night?

Hon. Mr. Irvine: Mr. Speaker, I have no knowledge as to what the Ottawa Citizen said, so I certainly cannot confirm that it will be acquired by the government for any specific use, such as agriculture or industrial.

Mr. Speaker: The Minister of Housing has an answer to a previous question.

OBLIGATIONS OF H.O.M.E. BUILDER

Hon. Mr. Irvine: Mr. Speaker, on Nov. 15 the member for Wentworth asked me about a petition signed by persons who bought houses from Claran Homes under the HOME plan. The petitioners complained about building deficiencies and the member wanted to know if the minister would ensure that Claran Homes would rectify these faults before being allowed to build on 27 detached lots in Gourley Park which have been allocated to the firm in the current offering of Hamilton lots.

At that time I indicated to the hon. member that if any of the problems were related to OHC, I would ensure that they were corrected. OHC inspectors have visited the homes of these persons who signed the petition and their complaints were all noted. OHC officials met with the builder yesterday, Monday, Nov. 18, and he agreed to start work immediately on the replacement of roof shingles, one of the more common complaints. He also agreed to visit each homeowner to determine the nature of their complaints and to work out an agreement for rectifying any of the deficiencies that are his responsibility.

OHC inspectors will visit the site later this week to monitor the progress of the repairs being undertaken. I would like to point out to the hon. member, though, that the construction of these houses was financed by the Toronto-Dominion Bank and that the mortgaged loans were insured by Central Mortgage and Housing Corp., which was responsible for carrying out the inspection during the course of construction. Any decision on the future participation of this builder in the HOME plan will be based on the nature of the problems and his performance in fulfilling his obligations to the homeowners.

Mr. Deans: May I ask a supplementary question?

Mr. Speaker: If it is very short.

Mr. Deans: May I ask the minister whether he thinks it reasonable, considering the great number of homes that are about to be built under the HOME ownership programme in the total Hamilton area, that there be only one inspector to inspect all of the homes?

Hon. Mr. Irvine: Mr. Speaker, knowing the number of homes that would be brought on the market, I would think one inspector is possibly not the number that should be used. I'll check with my officials and determine whether or not there should be more. If there is a necessity for more inspectors, we'll arrange for them.

Mr. Speaker: The hon. member for Huron-Bruce.

STATUS OF MINISTERIAL FREEZE ORDERS

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Housing. In view of the difficulties which the ministry has had in regard to the freeze order in Goderich and Colborne townships and the reluctance of the government to test the validity of the freeze in the courts, what is the legal status of the other 80-odd freezes in the province?

Hon. Mr. Irvine: The ministerial orders that have been placed are legal if they were placed before any building permits were issued for a certain development. In certain cases, the building permits were issued by the municipality before the ministerial order was registered, and that has caused us a problem. We hope to ensure that we do not have the problem that the member is referring to happening throughout the rest of the province.

Mr. Gaunt: One final supplementary, Mr. Speaker.

Mr. Speaker: No, the time has more than expired. The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Auld presented the first annual report of the McMichael Canadian Collection for 1973-1974.

Mr. Carruthers, in the absence of Mr. McNeil, from the standing resources development committee reported the following resolution.

RESOLVED: That supply in the following amounts and to defray the expenses of the Ministry of Transportation and Communications be granted to Her Majesty for the fiscal year ending March 31, 1975:

Ministry of Transportation and Communications

Ministry administration programme	$ 33,830,000
Maintenance programme	244,354,000
Construction programme	474,135,000
Public operations programme	15,528,000
Safety and regulation programme	17,511,000

Mr. Speaker: Motions.

Introduction of bills.

LOAN AND TRUST CORPORATIONS ACT

Hon. Mr. Clement moves the first reading of bill intituled An Act to amend the Loan and Trust Corporations Act.

Motion agreed to; first reading of the bill.

Mr. Shulman: When is the minister going to bring in the new liquor Act he has promised for years?

Hon. Mr. Grossman: When is the member going to eliminate local option?

Mr. Speaker: Order please.

Hon. Mr. Clement: Mr. Speaker, the purpose of the bill is as follows: to permit Ontario loan corporations and trust companies to increase their borrowing capacity, firstly, by permitting them to issue a new form of instrument known as a subordinated note; secondly, by increasing the present maximum limitations on borrowings of 20 times shareholders' equity by allowing borrowings by loan and trust corporations in excess of the authorized statutory 20 times maximum, if the excess is invested in short-term liquid assets; and thirdly, to provide discretionary powers to enable subordinated notes to be considered as part of shareholders' equity for borrowing purposes.

Also, Mr. Speaker, the purpose of the bill is to redefine the definition of a loan corporation from that of a corporation that makes mortgage loans to that of a corporation that accepts deposits or issues debt instruments to the public and invests the proceeds in mortgage loans. This will free from the restriction of the Act those corporations that borrow from banks and issue debt instruments in excess of $100,000, and those that might be construed as investing in mortgages by reason of the issue of debentures secured on real estate.

Also, Mr. Speaker, an additional purpose of the amendment is to permit the board of directors of trust companies to delegate to the president of the trust company the exercise of discretionary powers as contained in any will or trust instrument on behalf of the trust company without derogating, of course, from the responsibility of the trust company for the exercise of its powers. The amendment also provides that all companies wheresoever incorporated, Mr. Speaker, and admitted to registration and licensing would be subject to the same restrictions as to capital and non-resident requirements as would an Ontario-incorporated company.

Certain other minor amendments are to clarify certain provisions of the Act, Mr. Speaker.

Mr. Singer: It is fascinating that the minister is bringing that in while the select committee is still continuing its deliberations.

Mr. Speaker: We will now continue with the installation of a new member. The Leader of the Opposition.

Mr. Cassidy: Mr. Speaker—

Mr. Speaker: I am sorry. Does the member have a bill?

Mr. Cassidy: Yes.

Mr. Speaker: Oh, I am sorry, yes. The member for Ottawa Centre.

MUNICIPAL ELECTIONS ACT

Mr. Cassidy moves first reading of bill intituled, An Act to amend the Municipal Elections Act, 1972.

Motion agreed to; first reading of the bill.

Mr. Cassidy: Mr. Speaker, the purpose of this bill is to repair an omission which was left by the government's refusal to give legislative sanction to the city of Ottawa's request to have the power to enforce spending limits on municipal candidates in the 1974 municipal elections. The request was put to Queen's Park in due time but was rejected by the Treasurer, who said that spending limits should be used voluntarily.

Mr. Speaker: I think we are now debating the bill.

Mr. Cassidy: Yes. The purpose of this bill is to give the city of Ottawa or any other municipality in the province the power to set spending limits for candidates for municipal office and to enforce those spending limits by compelling any person who violates the limits to vacate his seat.

Mr. Speaker: Now we will continue with the—I am sorry?

Mr. Deans: Just on a point of clarification before you introduce the new member, simply because everybody else will disappear, in order that we understand the ground rules for the debate this afternoon, I would like to bring to your attention that we have agreed on a 20-minute lead-off as opposed to 15, which you may have been informed about, but I would like to ask the House leader for the government if he would make it clear that the committee will not sit this afternoon—assuming that that would be the wish of the House—but sits in the evening.

Hon. Mr. Winkler: Mr. Speaker, we did communicate on this prior to the session and from my point of view I felt that the

membership of the committee in general had agreed to sit, but certainly if it's the wish of the people across the floor not to sit, I am prepared to agree. I recall that on the last occasion we made the same arrangements and very few people attended the House, which was rather sad because that time then is lost. But if it is the wish of the House, I will certainly ask the committee not to sit.

Mr. Speaker: Is this the wish of the House, that the committee not sit this afternoon?

Hon. Mr. Winkler: But it will sit this evening.

Hon. Mr. Meen: No, Mr. Speaker, it's not possible for that committee to sit this evening.

Mr. R. F. Nixon: This is another one of those days!

Interjections by hon. members.

Mr. Speaker: Well, we will try again. Now, can we continue with the installation of our new member?

Mr. R. F. Nixon: Mr. Speaker, I have the honour to present to you Mr. Paul Taylor, member-elect for the electoral district of Carleton East, who has taken the oath and signed the roll and now claims the right to take his seat.

Mr. Speaker: Order please.

Orders of the day.

NOTICE OF MOTION No. 8

Clerk of the House: Private member's motion No. 8 by Mr. Lewis.

RESOLUTION: As a result of the collapse of Krauss-Maffei; as a result of this government's preoccupation with magnetic levitation transportation systems at the expense of realistic alternatives; as a result of its assigning $1.3 billion to the implementation of such systems, thereby severely limiting capital for more conventional and immediately available systems; as a result of the consequent immobilization of transportation planning for all areas of Ontario, this government has lost the confidence of this House.

Mr. S. Lewis (Scarborough West): Mr. Speaker, I begin this no-confidence motion by welcoming the new member for Carleton East (Mr. P. Taylor) to our ranks—to "the" ranks, in the generic then—and it strikes me there has been more hearty applause in the last three weeks on this side of the House on at least a couple of occasions. I must say he has already expressed his views on the essential decorum and tranquillity of the chamber, and doubtless those views will be reinforced in the months to come.

Mr. Speaker, the time is limited. I have a number of specific things I would like to say about this no-confidence motion, and I shall proceed directly to the task.

I want to speak to the substance and generality of the motion rather than in terms that are legalistic, technical, contractual or financial as to details. I would like to make, if I could, an assessment of the factors which spawned and which shattered magnetic levitation for the Province of Ontario, and I would like to suggest what that implies for this province. Let me try to put it in context in a way in which we, at least in this caucus, see it; and I suspect that view is shared by the Liberal Party.

The basic problem of the government's fundamental approach to mass urban transportation in Ontario, and more specifically in Metropolitan Toronto and other big city areas, is that it stems from a political motivation rather than an appreciation of the problems at work and the solutions which need be found. In fact, it speaks to the kind of internal malaise, which I think, has developed the growing sense of public lack of confidence in the Progressive Conservative Party. It speaks to that role of the Progressive Conservative Party, so well embodied in the big blue machine, as a manipulative group, a group where manipulation is more important than policy and where decisions are made for self-serving reasons rather than for the public interest.

I want to draw the Minister of Transportation and Communications (Mr. Rhodes) back for a moment to the sequence of events which fostered the ultimate collapse of Krauss-Maffei. It began, of course, with the supposedly heroic cancellation of Spadina, which was then an act of nobility but is now seen as an act of infamy, because none of the alternatives which were then promised or contemplated have ever appeared. Throughout the post-Spadina period the government was preoccupied with an approach to transportation which was largely expedient and opportunistic. Some of us who were engaged in the 1971 election campaign well remember the absurdity of the Buckminster Fuller proposals. That was followed by the famous announcement on Nov. 22, 1972, at the Science Centre, of the embracing of Krauss-Maffei

and the magnetic levitation transportation alternative.

The Premier (Mr. Davis) at the time said that the old-fashioned transportation modes were no longer desirable, that they should do something which was realistic, immediately available, largely experimental and useful for Metropolitan Toronto, Hamilton and Ottawa. He was wrong on all counts in his initial decision. Krauss-Maffei was, if you will forgive me, Mr. Speaker, bogus from the outset. It was a personal obsession rather than a serious practical response to a transportation problem. It reflected this tendency for self-infatuation on the part of the Conservative Party, and it reflected a tendency for political spectacles rather than practical solutions. That is why there was so much scepticism on all sides of the House about Krauss-Maffei from the outset. We knew the political opportunism involved and we found it suspect to begin with.

Now Mr. Speaker, the entire illusion, whatever it might have consisted of, is shattered. Krauss-Maffei lies in remnants of ingots and steel at the feet of the Ministry of Transportation and Communications. It was never a real experiment in transportation; it was an experiment in political survival, and it failed.

What bothers us, in terms of the total context, is that the ministry absolutely refuses to let go of the Krauss-Maffei magnetic levitation absurdity. They insist, if I may put it this way, on flogging a dead train. They are determined to pursue this magnetic levitation system for several months more. They are not going to do the kinds of things, the kind of alternatives which should be done. In fact, the minister has not really been entirely straight with us. He has demonstrated more candour than his predecessor and the government, but there are still missing links in the whole collapse of Krauss-Maffei.

I kept on asking myself, and other members of the New Democratic Party have been asking themselves: "What is it really all about? Why did it all collapse? How did it all collapse? What explains it?" I sat through the discussion of the estimates of the Ministry of Transportation and Communications, and I couldn't sort it out in my own mind, because the arguments given officially by the minister and the arguments allegedly given by the West German government just didn't seem to ring true. So I'll tell you what I did, Mr. Speaker. Being part of a democratic socialist movement which extends beyond provincial boundaries, I made some contacts in Germany. I decided, in personal terms, to try to find out what the devil was at the root of all this.

This morning, I had a reasonably lengthy conversation with the man who is Secretary of State for Transportation in the West German government; and what we could not understand in a conversation we had yesterday, and in a conversation we again had this morning, we did through an interpreter. I don't think there is any more highly placed official than this fellow in terms of giving us the sense of what was involved. He said to me at one point in the conversation—and I want to put the quote absolutely on the record, because I took it down very carefully and asked the interpreter to repeat it.

He said to me: "Technical development has clearly shown that no economic operation can be expected from the magnetic levitation technique when applied in the trans-urban system." That is to say, in a rapid transportation system within a city.

I said to him, almost incredulous: "No economic operation? Do you mean no revenue system, such as we've been told about by the Minister of Transportation and Communications?" And he said: "No economic operation."

"Specifically"—and again I'm quoting—"when small vehicles are used, and the distances are short and the speeds are relatively low, no economic operations can follow."

I thought to myself, that's one of the things which really hasn't been said to us yet. We've been told that the West Germans cut back because of economic priorities. We've been told there were the occasional bugs and that Krauss-Maffei is being operated on the Transrapid system in the inter-city system, but there was no economic cost-benefit value that we haven't yet been told.

So I said to him—his name is Mr. Heinz Ruhnau, and he is Secretary of State for Transportation—I said to him: "What about the technical bugs which were inherent in the system?" He said he thought the technical problems might be overcome in time but that the costs associated with solving the technical problems were so high that it would make the whole system absolutely uneconomic. Then he raised with me matters of energy making it impossible for the system to be economic.

I thought to myself, one must be fair about it. This is the Secretary of State in the Ministry of Transportation in the West German government.

The minister here in Ontario has been dealing with Research and Technology. They

were engaged in the funding for it. So, a little later this morning, I had another, even more lengthy conversation with Dr. Dietmar Frenzel. He is the head of the task force responsible for all of the funding and feasibility studies for magnetic levitation in West Germany.

What Dr. Frenzel said to me, I found rather difficult to believe. I'm just going to put it on the record, Mr. Speaker, and I'm absolutely confident of it because he is a man who happily speaks the English language pretty fluently. We understood each other. I know a little German, but Heinz Ruhnau and I needed an interpreter.

Dr. Frenzel was very fluent and very to the point. He said, to put it in his own perspective, that the west German government decided to take a look at magnetic levitation as a system which would be an alternative to the wheels-on-steel approach and that magnetic levitation might emerge where the velocities became so high that wheels-on-steel encountered an enormous number of problems. But they then decided to look at magnetic levitation in terms of mass rapid transit within cities themselves.

He said to me—and again I quote directly:

> We went in deeper and deeper until we had a basis for determining cost effectiveness, until we could determine at what time it would have been possible for real urban transportation to occur. We learned that magnetic levitation has a severe drawback because it cannot overcome in economics the conventional light rail and railroad system. It is just too expensive at this time.

So I asked him wherein lay the problems with overcoming the economics? Let me tell the government what they've discovered, since presumably they know it too; but we never shared it.

They discovered that it needs more room and installation than they previously thought; that there are serious safety problems which cannot now be overcome; that there are unpredictable energy costs; and that the electronic problems are so severe that it would take a minimum of five more years and $20 million to $25 million to make it even marginally competitive with wheels-on-steel, and then they couldn't guarantee it.

They couldn't get clear answers from Krauss-Maffei, so they said to themselves: "There is just no point in pursuing Krauss-Maffei for urban transportation means at all. We may think it has applicability for the transrapid system of 250 to 300 miles distance in velocities of over 300 kilometres an hour. But it makes no sense whatsoever for internal urban transportation."

They looked at the cost effectiveness of all the alternatives and they came to the conclusion that there was no debate. Magnetic levitation was irrelevant, costly and insupportable now in technological terms, and the old-fashioned light rail and subway alternatives, in fact, made sense.

I said to him: "When did you learn all this as head of the task force?" He said: "We got our first intimations of it a year ago. Six months ago the pattern became clear and we then made the recommendations to the Ministry of Science and Technology in Bonn."

Mr. R. F. Nixon (Leader of the Opposition): The member for Armourdale (Mr. Carton) must have been having his doubts when he was minister.

Mr. Lewis: I'd like to know where was the ministry through this period of time, the two years that the government committed itself to magnetic levitation? There were these reports the minister kept on handing down on the perfection of Krauss-Maffei. Here we've got the head of the task force involved in looking at its feasibility and its funding, who indicates that on X number of counts, all of them itemized, it is insupportable. A month and a half ago the minister gave us in this Legislature, to the public at large, so he said in his estimates, a report which showed the value of the experiment. How come Ontario didn't discover the drawbacks? How come we lost so much time and perhaps some money?

Mr. Speaker, I'll tell you what we in this caucus tend to think. We in this caucus tend to think that what began as a piece of political opportunism, ended up with a sort of self-hypnosis on the part of the people who were involved. They forgot about its value in applying it to people and transportation systems. They didn't look at the cost benefit analysis. They didn't look at making it a serious revenue system, except in that kind of strange, beleagured obsession with the technological grandeur.

I want to say, Mr. Speaker, that you can't get from Scarborough to Queen's Park on grandeur. That's where the whole system collapsed. What the German government found after such careful study was a completely irrelevant system for intra-city urban transportation, which is something we should have discovered some time ago and never have committed ourself to at the outset.

We say to the minister to call back his engineers, the five engineers he sent off to Munich yesterday at the expense of the taxpayers of Ontario. Let him call back whatever engineers he may have there. Maybe it's at the expense of Krauss-Maffei, within the $10 million; I'll believe it when I see it.

Sever the contract with McDonnell Douglas. The minister told us in his statement the other day that Ontario has exclusive rights for Canada for the $30 million worth of research and technology, and non-exclusive rights elsewhere. Our answer to the minister is: "It won't fly, Orville." The government has no exclusive rights to anything that is of value, because that technology as an intra-urban system for mass rapid transportation is absolutely dead as a doornail.

We should have been told that some days ago, rather than the kinds of statements which were made in the House by way of sort of official promulgations. That's just not good enough. That's the kind of backing and filling, and continuing commitment of Ontario dollars and Ontario expertise to a system which has finished.

The minister indicated in committee that he is going to spend another 120 to 150 days of first-phase analysis of further development of Krauss-Maffei. Throwing bad money after bad was never more apparent than in this instance. We urge the government to cut anchor, to sever it all. Now, what has been lost, Mr. Speaker, in very serious terms, is immensely valuable time; almost three years now. I recall—and it relates to a question that was asked by the member for York-Forest Hill (Mr. Givens) during question period—that in the spring of 1973, Mr. Soberman recommended a crash programme for light rapid transit to Scarborough. And this government's response was a two-year study at the cost of $900,000. And why a two-year study? Because all of the eggs were in the GO-Urban basket.

The question of the need for the Queen St. subway line was severely delimited because of this obsession with the GO-Urban transit. GO Transit, the one system which is operating in this province, has been undermined by this government. In fact, its budget for 1974-1975 is one-third down from what it was in the previous year, as this government continues to emphasize its fixation with GO-Urban.

And it is building a new expressway, Highway 404, and pretending that it is to allow people to reach their cottages going north. In reality, it is bringing all of the people up and down the Richmond Hill-Newmarket line into the city, doing exactly to Metropolitan Toronto what it pretended it didn't want done when it terminated the Spadina Expressway.

Since 1971 the average daily volumes for cars coming into Metro are up: On the QEW between Dixie Rd. and Highway 427 by 60 per cent; on Highway 400 from Highway 401 to Finch Ave. by 35 per cent; on Highway 401 from Warden Ave. to Victoria Park Ave. by 62 per cent. This government's own studies show that the roads and the arteries will be clogged beyond repair by 1981, and all it could do over the last two years was to preoccupy itself with the supernatural fantasy of Krauss-Maffei; which never made any sense at all, except to serve the egos of the politicians involved.

So all in all, throughout Metro and elsewhere Mr. Speaker, transportation planning is in a shambles. It's one of the greatest failures of this Premier's years. This government is now planning a big sewer pipe to bring an additional 880,000 to 1.3 million people into the area by 1995, and it has no transportation plans to handle it. The government has got Malvern, the North Pickering community, the zoo and the airport in northeastern Metro; and no transportation mode yet on track. What are those people to do?

Northwestern Metro had the Spadina Expressway severed in 1971. What are those people now to do? All the alternatives were emasculated by the way in which the government leaped into an experiment which is now revealed as hollow in concept and totally without substance.

What this caucus says to the Premier is that not another penny should go down the drain of magnetic levitation. If the system is ever useful for inter-city ground transportation—and I want to say to you, Mr. Speaker, that the men to whom I spoke this morning in the ministry of transportation in West Germany, and in the ministry of science and technology in West Germany, weren't even sure that magnetic levitation would work inter-city; but they were sure that it would never work in economic terms within cities. We say not another penny to that experiment; let them have any rights to what they want.

The government should pull its money—as much of that $1.3 billion as it can possibly pull together—into light rail rapid transit on a crash basis, into the subway system on a crash basis. and provide for Metropolitan Toronto, for Hamilton, for Ottawa and for other cities in Ontario, the kind of transportation alternatives to which they are entitled.

Mr. Speaker, I take my seat simply by saying that for three smug and self-deluding years. the Province of Ontario allowed GO-Urban to dominate the entire transportation scene. It is a surreal experiment in transportation planning. It never went anywhere, and we now learned that it never could go anywhere. It bespeaks a failure on the part of the ministry, and it bespeaks a failure on the part of the government. It distorted all our priorities, it distorted all of the transportation planning through Metropolitan Toronto and in fact throughout the province.

It is simply time for the government to sever the connection, to start afresh and to begin now to give the people of southern Ontario, and indeed many of the northern communities the transportation systems to which they are entitled.

If there is ever a litany of failure, if there is ever a saga demonstrating the incapacity of the Tories to govern, it is this one; and if there is ever a non-confidence motion which deserves to be supported, it is this one.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I would like to introduce to the Legislature a group of grade 7 and 8 students from Conestoga Public School with their principal, teachers and a group of parents.

Mr. Speaker: The hon. member for York-Forest Hill.

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker, for those of us who are on this side of the House, participating in this motion of no confidence is like threshing old straw. Our position has been consistent with respect to this matter. We pointed out all the pitfalls with respect to this Krauss-Maffei matter right from the start, and we're not drawing attention at the last minute to this particular issue, which has wound up so tragically.

It is at this point in time that we welcome the new member for Carleton East. This marks the end of an era and the beginning of another, and perhaps this is a propitious time for him to come in.

In a sense, participating in this debate on the vote of confidence is an exercise in futility, because all of us who are in this chamber know how this vote will wind up. I'm rather cynically amused at some of the media, in reading the columns where some of the columnists have been saying: "Isn't it awful?"

You know, it is a funny thing with the columnists—they either come at you with a meat cleaver or they pull out the crying towel. Now they're saying: "Poor Bill Davis. We're attacking him like jackals, but he's such a nice guy. He tried hard and he meant well; unfortunately he took a gamble and it didn't pay off."

We're not attacking him because he's a nice guy, we're not attacking him because he took a gamble on technology which didn't pay off; we have a right to criticize a man who insists on playing with dynamite when he doesn't know how to handle percussion caps. We insist on the right to criticize the man who doesn't know the rudiments of how to put a business deal together properly.

Here is a man who comes along and unilaterally and deliberately shatters the transportation plans for the metropolitan corporation with the war cry: "Cities are for people!" This was a cry that shook the world and won him the election in 1971.

He had no alternative in mind when he left us with a ditch in my riding over there. It doesn't improve with age; no grass grows, no weeds grow—no nothing. He scuttled us without an expressway. Everybody in the outlying areas—in Sudbury, Kirkland Lake, in Kakabeka Falls and I dare say Sault Ste Marie—thought they would use the money saved on the Spadina Expressway to improve transportation conditions in their areas, but no such remedies were involved in these outlying areas, in the cities and in the towns. There is nothing for anybody else, there is nothing for us; and there the ditch lies. It's demoralizing and it's disillusioning for those who have to drive by there all the time and look at this, and the people in the area feel terrible about it.

Then he brought in his Buckminster Fuller report for about $30,000. It was an object of ridicule, it was laughed at and it was never considered seriously. We kept on asking questions about the Buckminster Fuller report, and the Premier kept on replying: "If Metro doesn't use it, we will use it—we will implement it." Nothing has been done in 3½ years on the Buckminster Fuller report, because it is so ridiculous in its concept that it's an object of ridicule.

Mr. R. F. Nixon: It cost us $15,000.

Mr. Givens: And now the contractor, KVN (Kilmer Van Nostrand), puts up a sign They're going to build a subway 3½ years too late—indeed 10 years too late. Under the circumstances, without the expressway, the subway is in the wrong place for the wrong reasons; because without the expressway,

the subway makes no sense in that particular route.

Without the expressway, the government is putting the subway through in an area where the density of population is 35 people per acre, and there shouldn't be a subway in an area that doesn't have at least 350 people per acre. What it means is that there is going to have to be a whole movement to rezone the area for the purpose of highrise. Boy, that is going to be met with a volley of grape shot.

So the government refuses to reopen the question of the Spadina Expressway. I won't get into whether it is right or wrong on that right now. It is going to persist on extending the Don Valley Expressway northwards to Newmarket when the expressway is already overloaded. Everybody says it is—it has jammed up Metro Toronto. The government is choking Metro Toronto on the east but refuses to open the expressway on the west.

The Scarborough corridor is hung up in the air after a costly study, The dial-a-bus system flopped and they are trying to revive it. There is no alternative in sight.

And here the Premier comes along—self-appointed, pre-eminent authority of public transit—in November of 1972 with a fanfare at the Science Centre. He scared the living daylights out of us with the lights, the television cameras, the public relations programme and with the brochures—one, two, three, four, five of them that I have here. Is he going to recover the thousands of dollars that it cost to print these?

He announced the GO-Urban system, the Krauss-Maffei system, and he made promises of dates when GO-Urban would go in and when it would be operating.

And we were tantalized with these world rights. We were going to sell these things. I think the minister's predecessor said we were going to make $30 million out of the world rights, and when he was questioned by me in this Legislature he indicated that the city of Heidelberg was going to put in this system; because I was suspicious as to why the German government wasn't putting in the GO-Urban system of magnetic levitation if this was such a hot-shot scheme.

Then the Premier went ahead and he grabbed the Transit Man of the Year award like a man grabs a hot stove with two hands. He didn't renounce that award. He went down to Florida to collect it and he took all the bows and all the plaudits.

This is why we are criticizing him and this is the point on which I criticize him; this is why I criticize him. Here is a man who came along, the leader of the government, repudiated a contract which he made with another government, the Metropolitan corporation—did so unilaterally—and then becomes the victim of his own ploy when the West German government turns around and pulls the rug out from under a company with whom it has a contract.

One would have thought that after what the Premier did in his own country, in his own jurisdiction, he would have had enough intelligence to have gone to the Bonn government and said to them: "Look boys, I am making an investment of a zillion dollars here, you are underwriting the Krauss-Maffei firm. For God's sake, will you tell me that you are going to stay in, because otherwise, if you withdraw your support, we are going to wind up with egg all over our faces."

That is just how this government has wound up. This is the point of the whole thing. This is why we are criticizing him.

Any businessman who doesn't understand that you go to a guarantor, you go to an underwriter, and you ask him for his support, you ask for his acquiescence specifically in writing, that he will continue his support of this scheme; this is what undermines our confidence. How can you have confidence in a man who does business that way? It shows that he hasn't got the basic conception of how to set up a business deal.

Some hon. members: Hear, hear. Right.

Mr. Givens: And this is the Premier of the Province of Ontario. This is the unpardonable sin, not that he gambled on technology that didn't pay off. In fact, Krauss-Maffei is still being supported by the Bonn government. They have doubled the support. They have gone from 16 million deutsche marks to 32 million deutsche marks for their interurban system.

So it isn't as if the West German government has withdrawn its complete support from Krauss-Maffei. That is not true. All this stuff that the hon. member for Scarborough West talked about may be ex post facto rationalization as they try to justify why they withdrew their support from the interurban scheme that they had supported up to that point. But we were giving information in this chamber from Prof. Eric Laithwaite and from Prof. Robertson and from others; we were indicating to the minister and to his predecessor that we had no confidence in this magnetic levitation

system, and the linear induction motor for this particular purpose; especially when Montreal wouldn't take it, when Edmonton wouldn't take it, when Vancouver wouldn't take it.

Then he started telling us about McDonnell Douglas and he started telling us about Alberta helping him. When he talked about BART—the Bay Area Rapid Transit system in San Francisco—he scoffed; when we talked to him about the system failing in Morgantown, West Virginia, he scoffed; when we indicated to him that the US government was withdrawing its support from this sophisticated technology, he scoffed. He said that he could do better. He couldn't hire engineers here, but he felt that he could do better.

Now he persists in hanging on—and I agree with the member for Scarborough West—the minister says he has a marketable commodity in this junkpile of technology. All he has here are the salvage rights to the Titanic.

Mr. J. F. Foulds (Port Arthur): Very well said.

Mr. Givens: The minister gets on television last Saturday night—I heard him; he looked great. He's a great broadcaster.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Thank you.

Mr. A. J. Roy (Ottawa East): He didn't make any sense, but he looked great.

Mr. Givens: The minister didn't tell the people the thing was scuttled, that it got derailed, that it hit a brick wall and that's the end of it. He told them there would be a delay, as if he were announcing a delay on the air because he couldn't get a squib on.

Mr. Foulds: "Please do not adjust your set."

Mr. Givens: Yes: "Don't adjust your set. There is a slight delay." That's what he told them.

But the minister shouldn't feel bad. You know, they have figured out on the Bay Area Rapid Transit system in San Francisco that they could have furnished each of the people using that system with a Fleetwood Cadillac for what it has cost them to put that system into operation.

So the minister need not feel so bad, because the pulling out of the rug came now. He could have been opening the test track at the CNE next year, and the telegram could have come to him then. What would he have done?

So it's goodbye magnetic levitation and back to the wheel. The phantasmagoria is over—

Mr. R. F. Ruston (Essex-Kent): Round or square wheels?

Mr. Givens: As I say, he's lucky it didn't happen next year.

The minister says it isn't going to cost us anything, that we are getting all this for free, with 30 engineers for a whole year and the use of the test track.

If the test track is so valuable, I don't know why we were going to build a new test track at the CNE. I could never understand that. And I wasn't too clear about the minister's answer this afternoon about the licensing question, as to whether we really saved that half a million bucks.

Here is the Scarborough study, about which the minister spoke this afternoon: "How can you expect Krauss-Maffei to return the money for a study that took place in Scarborough?" This study was for the purpose of determining the route where the government was going to shove GO-Urban, and the costs should be recoverable from Krauss-Maffei, because this is the money that the ministry spent to determine where it was going to put that system. And the same thing applies to the Eglinton study. With great respect, I suggest to the minister there are thousands of dollars that he spent in connection this this matter that will not be recovered from Krauss-Maffei.

The Metro transportation system is in a state of suspended animation, and the same is true for all the other cities, because Ottawa was promised relief and Hamilton was promised relief. On Saturday night the minister also said—does he remember what he said to them in his closing lines? "Have you seen those bright new red shiny buses on your streets?" And the minister indicated to the people that the government was paying for them. I guess the province must be contributing 75 per cent to some of the newer buses that are coming out there and the government is sort of giving it to them as a consolation prize.

What about the Scarborough corridor? What is the minister going to do there? What is he going to do with respect to the new airport? What is he going to do about the increase in motor vehicle registration in this city now?

The traffic congestion is horrendous. I know the minister lives in the Soo, but he ought to stick around some time and ride up and down during the rush hour in the morning and in the afternoon to see what is going on in this metropolitan area—as well as in Ottawa, Hamilton and Windsor; I am talking for the other cities as well.

We have had 3½ years of delay, and that's an imponderable cross that the minister will never be able to figure out on his computer. This has been a psychological blow and a setback for public transportation, and it has caused a loss of confidence.

The minister indicated to us in the committee on estimates that he was going to stick with it for another 120 days. I suggest to him that even with that 120-day period, he is not going to be able to put Humpty-Dumpty back together again with the five engineers he sent over there yesterday. There is no way he can do that. As far as the minister's man, Kirk Foley, is concerned, it's wonderful. He is not an accountant; he is not an engineer; he is not a lawyer; he is not an economist. When you ask him a difficult question he gives a terrific answer with 6-ft.-long, sesquipedalian words that are absolutely brilliant. But when you ask him easy questions, such as, "How many $40,000-a-year engineers have you got? How many times did you go to Germany? What is the name of the PR firm that you used? How much did you pay to your PR firm?" Right away he is struck with amnesia; he doesn't remember.

The government doesn't have a vote of confidence here today. They are going to ring the bells and their people are going to come in for the vote from all the nooks and crannies where they secrete themselves—

Mr. Lewis: Secrete themselves—not bad.

Mr. Givens: And they are going to win it. They are going to empty out of the bowels of the interstices of this building and they are going to come in here—

An hon. member: That's the washrooms.

Mr. Givens: I am sure you must have seen last Saturday's Star, Mr. Speaker, where there was a poll published on the front page. The headline says: "Poll Shows Support for Davis in Metro Down by Two-Thirds." It quotes a Peter Regenstreif poll which shows that on a sample of 404 people the government is finished, that the Premier is down by two-thirds.

Interjections by hon. members.

Mr. Givens: Do you know, Mr. Speaker, I don't believe it. I don't believe in polls or I don't believe in these samples, because all of us at one time or another can point to a poll which was in our favour which was disproved; or which was against us and which was disproved.

Mr. Lewis: I can't think of one that has ever been in our favour, as a matter of fact.

Mr. Givens: Well I can think of polls that were disproved. I have enough faith and confidence in the party opposite that with its bottomless money bag it can make a lot of adjustments between now and election day, whenever it may be, and that it will probably recover a lot of lost ground.

But I will tell you this, Mr. Speaker: I don't have to take a sample of opinion. I get around in this town quite a lot and I have seen literally hundreds of people over the weekend, what with the Royal dinner and another dinner and a rally and everything else. I have talked to hundreds of people over the weekend. And do you know what, Mr. Speaker?

An hon. member: At least 404.

Mr. Givens: The government may win the vote today but I saw hundreds of people out there who were laughing at them. They have become an object of ridicule and derision. No matter how the vote of confidence goes this afternoon in this chamber, out there they are laughing at the government and that's where the vote of confidence on this motion this afternoon is being decided—out on the streets.

Mr. Speaker: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Speaker. I wish to speak very briefly in this debate this afternoon. Amongst all the other considerations which I had and thoughts which I had in the last few days, and over the months previous with respect to the Krauss-Maffei system, there was one consideration that I must admit did occur to me amongst all the others; and that was, as an engineer I was a little bit disappointed at what is now clearly the collapse and the abandonment of a magnetic levitation transportation system because of the obvious technical difficulties.

As an engineer, I would have liked to have seen these technical difficulties surmounted even though they looked quite insurmountable. It was a pipedream right from

the very start. The day the announcements were made about the magnetic levitation system there were two points that struck me. On the degree of development that had taken place up to that point, it would be almost impossible for it to be developed within the time frame needed and set forth by the government, that is, to have a model operating at the CNE grounds in the spring of 1975.

I wondered then just how many sorts of announcements we would go through of slight delays about the opening up and performance of this type of system before the government finally announced that on that short-term basis it wasn't going to even come close to making it.

The second point of scepticism, again underlying the government opportunism throughout this whole thing, was the utterly preposterous proposal that it was going to run on Hydro rights of way, traversed by the high tension, high voltage Hydro lines. Irrespective of where else it might be applicable and might run at some time in the future, it sure as blazes was not going to run in the same vicinity as high tension, high voltage hydro lines which generate and create their own electrical and magnetic fields.

The inherent problems of having them run anywhere near that site, in the vicinity of Hydro lines, would be tremendously more difficult in comparison with getting them to run in the absence of those.

To think that this was one of the routes and one of the areas proposed as the possible use and application of this magnetic levitation system, to me at that time indicated that someone was doing a sell job on this province. If that wasn't the case, then the government, in its vain hopes that this would be the one issue and the one thing which would pull them through this next election, was searching for something to be pulled over their eyes.

The scheme was one of political opportunism to me, right from the start. It was not based on sound scientific principles. If it was going to work, it certainly was not going to work in the short run. It would not be anywhere near operational by the spring of 1975. It was a great futuristic thrust that this government hoped it could come close to doing something about in time for the next election. In so doing, it neglected totally the transportation needs of the rest of this province.

Even so, irrespective of what happened to this, I was really concerned about the development of this type of transportation system which seemed to have such limited applicability. If one puts together the present and projected passenger densities and projected loads in the city of Toronto, it would fit very nicely on a couple of places only. When you take it to other cities, such as Hamilton and Ottawa, the two other cities mainly mentioned, it looked as if it wasn't applicable at all.

An increase in the bus system and a couple of subways in Toronto, with its indicated need for a much higher density system, would have been the solution to the problem. One was going to have to fiddle and find routes search where this proposed population movement would, in fact, fit.

Having bought the principle, the government had to somehow twist the whole transportation system around in order that it could fit its system into it. It wasn't a system designed, in fact, to meet the needs. When one got out into Hamilton and Ottawa, that particular problem became even more obvious in that one would have to really search for areas there that had suitable passenger demand and population densities for this particular intermediate range of transportation. It was completely non-applicable in the rest of the province.

In that period, other studies or other forms of transportation on other localities were completely neglected. The Windsor bus system has not materially improved over that time. Windsor has a crying need for an adequate bus system, an adequate transportation system. This is true of every city in the Province of Ontario. There are none really adequately serviced by transportation systems in the province.

But no, the government is going to let all those problems continue in all those other cities as the top priority is given to Metro Toronto. The government wanted to develop in Metro Toronto, for hopefully all the province to see, a particular system—which I was really sceptical about working in the first place. Meanwhile, all the rest of the problems go unattended.

It was close to two years ago that, through my colleague the member for Sandwich-Riverside (Mr. Burr), an Instaglide system of lower density was brought to the attention of the Ministry of Transportation and Communications. It has been brought to its attention more than once. It is a system which may be applicable in some of the smaller cities—Ottawa, Hamilton, London and Windsor. There are cities in which the capacity is not quite up to the intermediate range transportation system proposed here. It is one

which could take the pressure off the bus lines and could replace bus lines, and be both an adequate short-term and long-term solution.

That has never really been taken up. I gather that again today it was mentioned and there is some renewed interest being shown. But for two years the government went through a period of not even being willing to take a look at it, because all of the eggs were being put in the Krauss-Maffei carriage.

Mr. Speaker, I support this no-confidence motion relating to the collapse of Krauss-Maffei and criticizing the government for putting all of its eggs in the Krauss-Maffei basket. The ministry and this government, particularly the Premier, were planning this mode of transportation, not as a feasible technical solution to the transportation problems of this province, not as a feasible short-term or long-term solution, if you take into account the population ridership basis and the population density in this province; but because they pure and simply hoped—vainly, as it is clear—hoped that this would come in time to help them win the next election and they were unwilling to consider any other mode of transportation in this province.

Mr. R. F. Nixon: Mr. Speaker?

Mr. Speaker: The hon. Leader of the Opposition.

Mr. M. Cassidy (Ottawa Centre): None of the Tories are going to defend their minister or their government?

Mr. R. F. Nixon: I think it is unfortunate that in a no-confidence debate of this or any other type we on this side, look across to one cabinet minister and five private members who are chatting among themselves about the news in their hometown weeklies—

Mr. Cassidy: When they let it drop they really let it drop.

Mr. R. F. Nixon: —and four members of the rump, just in case they would feel that we hadn't noticed them, sitting down there waiting to be called into some service.

Mr. B. Gilbertson (Algoma): We are members of the Legislature.

Mr. R. F. Nixon: I'll tell you, Mr. Speaker, I can't find it in my heart to feel sorry for the Minister of Transportation and Communications. I know that he has defended the indefensible as effectively probably as anybody could. To see him come forward a week ago, after a lengthy cabinet meeting that lasted right up to prayer time on the day of the session that the announcement was made, I would surmise that he perhaps, or some other wise person in the cabinet, had recommended to his colleagues that now they were in such serious far-reaching trouble with Krauss-Maffei, that the sharp knife should be drawn out, politics aside and, for the good of the taxpayers the programme be cut off and that was the statement that the minister should have made to the House a week ago.

We knew he was in serious trouble because of his moderate approach to the problem; he was prepared to answer questions without limits and people certainly appreciated that fact. We did feel however, that there was a division still in the cabinet and many people whose judgement probably had been different from the Premier's on this matter for a number of months should have held the decision in their hands and the government should have announced a complete cancellation of the programme.

I, of course, remember the occasion on Nov. 22, 1972, when the original announcement was made. Certainly, this minister does not have to bear the blame for that decision nor do I believe does his predecessor, the member for Armourdale, (Mr. Carton). It was the Premier's show; he had been concerned ever since his decision to stop the Spadina that the people, very properly in this community, were looking for the kind of leadership which would solve the transportation problems which had been further complicated by the new government policy to stop the expressway.

We were all familiar with the commitment of many millions of dollars to the expressway. We know about the most elaborate interchange—the second most elaborate in North America, I'm told—which leads from 401, not onto an expressway, but into Eatons and Simpsons, Yorkdale. We have seen the land that had been expropriated by the government; the houses were torn down, the bridges were built and then it was stopped.

Naturally the people in the northwest quadrant and elsewhere were looking for the magic answer that had been inherent in the Premier's statement in 1971. With all of the panoply that unlimited funds can buy through the best public relations officers in this city and elsewhere, the statements were made up there at the Science Centre.

I remember the occasion. It was quite gala. It was just before the municipal elections that year. A chap named Rotenberg was there shaking hands with everybody; O'Donohue

was there; a little short fellow standing off to the side named Crombie. I remember nobody seemed to be around him very much. I went over and chatted with him, as I did with others, about the upcoming election. But the announcement was made about the solution through technology—magical technology is the way it appeared—to the transportation problems that we faced.

Let no one make a mistake; it was the Premier's personal commitment. Perhaps an overreaction to the problems he had experienced with the cancellation of the Spadina Expressway. Certainly his decision at that time was greeted with approval by many people, but it was predicated upon finding a solution—short of freezing Toronto in amber and allowing no further growth—that would solve the problems of transportation that have since remained unsolved.

Now, three years after the decision to stop the expressway programme, we find we are back at square one after a commitment of many millions of dollars—certainly a continuing commitment, even though Krauss-Maffei has agreed to make a payment limited by the $10 million figure in the minister's statement. We, too, urged—and I would submit to you, Mr. Speaker, it came from my colleague who spoke just before me—before anyone else had the temerity to indicate that the magic levitation was going to be unworkable, that we should be putting our precious dollars for transportation services into technology that had already been proved, something called a wheel—

Mr. Cassidy: I am sorry that is not true and the record shows it. See Hansard of April 24, 1973.

Mr. Speaker: Order please. The hon. Leader of the Opposition has just a few minutes.

Mr. R. F. Nixon: Thank you, Mr. Speaker.

Mr. Cassidy: Okay, I just want that on the record, Mr. Speaker. The Liberals took over a year to catch up with this thinking that the government was wrong from the beginning.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. R. F. Nixon: Perhaps, in fact, I should withdraw what I said about my feeling that my colleague from York-Forest Hill was first in this, because I don't think it's that important. I don't think this is a day to crow. Although I'll tell you, with the panoply of the announcements and the irrational defences that have come from the minister and his predecessor, there should be something very close to a public apology by the minister, and more properly by the Premier of the province, for misleading the province, spending public funds, wasting three years in the development of this community and the communities that have been mentioned in this debate already.

I often wondered, Mr. Speaker, why the member for Armourdale left the cabinet just a few months ago. There were those, and I was among them, who felt that he had done a good job within the limitations that had been imposed upon him by the fact that his Premier, his chief, had decided that he was the expert in transportation and was imposing the terms of reference in which the minister had to act.

It could be that the member for Armourdale was the first one to come up to the emperor and bring the bad news that maybe magnetic levitation was not going to be as successful as we had been told in the press conference and the panoply at the Science Centre.

Mr. V. M. Singer (Downsview): Like all messengers, did they chop his head off?

Mr. R. F. Nixon: This is the time, Mr. Speaker, when we must be concerned as taxpayers—certainly as residents of the urban areas of this city—that the government policy has been seen now to be a fiasco. There is still a remaining mistake and that is the announcement of its final end as far as magnetic levitation and linear induction are concerned. The government of West Germany, after the kind of survey that we should have taken long ago—

Mr. Lewis: Exactly.

Mr. R. F. Nixon: —has taken this decision. I would be prepared to say that over many years that government and the people in that industrialized society have shown they are expert in development technology of this type; they took this decision and we should follow suit and stop sending good dollars after bad dollars and concentrate certainly on the development of technology already proved.

There is something good that has come out of this, surely—that is, when the tremors of doubt began to be felt by the Premier and the ministers responsible to him. The establishment of the corporation dealing with urban transportation can yet be of value, not only to this jurisdiction but elsewhere. This is a corporation through which public dollars

—and private dollars as well—might be channelled toward the development of technology that is already established for the specific uses that we need.

This is surely what the minister and what the government should do. The development Corporation has been substantially funded and the gem in their diadem has been the magnetic levitation train. I don't think we should throw the whole concept of this development corporation out, but in fact we should stick with it so we can effectively make use of the dollars available through our commitment from this House and from other sources.

But as I say, Mr. Speaker, this is not a day to crow. It is a day for explanations from the government and to set a direction for the establishment of the kind of urban transportation policy that is going to make up as much as possible for the money and time wasted and for the commitment of the Premier—a seriously faulty commitment in business judgement and in general judgement—who authored the particular problem we face now.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you very much, Mr. Speaker. I can say briefly at the beginning that some of the comments I put on paper about the Krauss-Maffei system two years ago have proved to be so correct that I'm rather ashamed to get up in the House.

An hon. member: Don't get up.

Mr. J. R. Breithaupt (Kitchener): I doubt that.

Mr. Roy: The member has been wrong before.

Mr. Cassidy: I am often wrong, but this time in fact I was dead right, as shown by articles in the Globe and Mail, and memorandums, and speeches in the Legislature.

I think it is worth pointing out for the record, Mr. Speaker, that from the beginning the New Democratic Party raised some very fundamental and cogent questions about the Krauss-Maffei system, and about what it indicated about the competence of the government, and about the government's commitments to a workable, affordable system of rapid transit that could be quickly implemented in the major cities of this province.

Back on April 24, 1973, when the authority to give the minister the power to write the contract with Krauss-Maffei was being debated, was the first time in the Legislature that we had a serious debate about Krauss-Maffei. We laid the facts out on the record at that point, Mr. Speaker, including a number of facts which I would suggest should have brought pause to the ministry before it went ahead with its headlong rush in the direction of magnetic levitation.

They were summarized in the Globe and Mail about a week later in an article which also appeared in the magazine "City Hall." At that time I have to regret to say the member for York-Forest Hill, while raising certain questions about what the government was doing, was doing it in the context that the Liberal Party, for which he was spokesman, wished to revive the dream of the Spadina Expressway and go back to an automobile-oriented type of transportation system, and nothing more.

Mr. Roy: The member for Ottawa Centre has been wrong before.

Mr. Cassidy: Mr. Speaker, there has been the most blinkered kind of headlong rush in the direction of this new technology by the ministry that one could ever conceive. It began as long as five years ago when the Ministry of Transportation and Communications, under Malcolm Armstrong, who has since departed to greener pastures, set out on a study of transit systems that might be considered by the province. That was the prelude to the eventual choice of Krauss-Maffei.

At that time there was no serious consideration at all given to the light rail systems which were then in operation in, I think, either 15 or 20 European cities; in some cases they had been in operation for a decade or more. The minister knows the ones of which I talk—systems that were intermediate in mode between subway systems and the streetcars which were so widely accepted here in Ontario.

Then the ministry and the government, I suppose because of an obsession with private enterprise or with high technology, refused to give any serious consideration to light rail; they would only look at systems that came in their entirety from a private developer, whereas light rail tended to be developed by putting components together. The ministry didn't want that, and therefore when it got down to a final eight contenders, and then a final three contenders for the Krauss-Maffei contract, it did not look at light rail.

Oddly enough, it was able to get into the final three a proposal from the Ford Motor Co. for buses which had a maximum speed

of 12 mph, regardless of the fact that the maximum speed laid out in the specifications was around 50 or 60 mph. It was able to make crashing mistakes like that, Mr. Speaker, but it was not able to give serious consideration to the light-rail alternative.

Somewhere in this pile of material I have the report that was eventually commissioned from the TTC, people who know their way around in this particular field, about light rail. That wasn't received by the ministry until January, 1973—that is, at the time when the minister was at the penultimate stage of choosing between Hawker Siddeley, Krauss-Maffei and the US Ford Co. They were not deterred by what they heard; nor did the ministry ever look to see what was being done in other countries, and how that could be adapted to Ontario.

The ministry went to the TTC only because of pressure to look at light rail from people who were expert within the industry in transportation planning, and who said: "Look, if they are going to look at high technology, for God's sake, transit technology tends to be conservative—look at what you can do with the existing technology."

I would wager, Mr. Speaker, that had the ministry begun in 1969 with a course of development that was more logical for the city of Toronto, in particular, than for any other city in North America—that would have been the development of light rail—we could today have a light rail system in operation, being inaugurated on Oct. 30, 1974, between the terminus at Warden of the Bloor subway line and Malvern, for example, so that all of that development in northeastern Metro could be oriented to a good sound rapid transit system at an affordable cost. We could now be laying the plans and getting property for a similar kind of light rail system in Ottawa and in the city of Hamilton, had the minister started five years ago on that particular direction.

One has to ask oneself why didn't the ministry? After all, transit in Toronto was more healthy than in any city in the continent. The streetcar in North America lived almost alone in Toronto. It died out almost completely everywhere else. We lost them in Ottawa about 15 years ago. They vanished from most American cities 15 or 20 years ago under the pressure of the GM corporate lobby and all the rest of it. Now they are coming back.

We had the base to do this here. The logic, the sense, the dollars, and the economical kind of solution would have been in this particular direction but the ministry wouldn't budge. They wanted a show. They spent $25,000 on a travelling road show with the Premier, the then minister (Mr. Carton) and other people and trotted around the province because they wanted a show. They invested tens of thousands of dollars in leaflets, in advertisements and in other things to convince the province that something was happening. They sent their experts out to make fancy speeches about the marvellous things that were happening.

Unfortunately, some of those speeches tended to trip them up, as, for example, when Mr. Armstrong said, "Look, we can do it for $5 million a mile and a nickel a ride." By the time the province had hit on the Krauss-Maffei system, Mr. Speaker, the Krauss-Maffei experts were telling us that the cost per mile of transporting passengers along this system was a nickel a kilometre or about eight cents a mile under Canadian conditions —80 cents a ride between Scarborough and downtown Toronto without any allowance for inflation or the escalating cost of technology which, of course, is given in any development of this nature.

The ministry was still undeterred. A number of people, myself included, got up and said, "Look, your concepts are wrong. It's crazy to put people in little 12-person cars because the costs are enormous. You'll spend $100,000 per car when you can build streetcars for $125,000 or $150,000 and light rail vehicles that will carry 60 to 100 people for not much more. You're crazy."

The ministry and the government were, frankly, quite unwilling to take the balancing steps that were required, so that when they extended good new dual rail, light rail transit into the suburban areas, they would also take measures to actively discourage people in their Oldsmobiles with their eight-track stereo deck buzzing down the Don Valley Parkway. There was a concern about that, but the concern was misplaced because what the ministry was trying to do was devise a system which it could sell to the public as giving them eight-track stereo and motor car comfort and all the rest of it while they were riding in public transit. You simply can't marry them in that particular direction, Mr. Speaker.

Not only that, but the ministry and government misread the temper of the Ontario public. Why is it that over the last three years since this programme began the number of transit passengers, not just in Toronto or Ottawa but in cities across Canada and across the United States has been rising

steadily and rising absolutely? The number of transit trips that are taken by each individual living in a city has been rising in North American cities over that period of time as well. Why has that been happening after 25 years when transit was on the skids? Well, there has been a change in public attitudes and that was misread by the government.

So what do we have. We have a government which embarked on a piece of technalogical folly, of which it was warned; on a piece of financial folly, of which it was warned; on a piece of planning folly, of which it was warned.

We might as well mention too, Mr. Speaker, that as part of the PR show, this government gratuitously unveiled plans for new transit lines for Toronto, for Hamilton and for Ottawa without even a minute's consultation with any of the responsible officials in those particular areas. The people of the TTC went up to the Science Centre to find 56 new miles of lines that had been created without a word of consultation. The people from the city of Ottawa and the National Capital Commission likewise were brought down here in order to view the spectacle, including about 2 miles of new transit lines on routes arbitrarily selected by the province for their particular city. And the people of Hamilton were told that they should find 25 per cent, or about $60 million or $70 million, in order to fund rapid transit along the provincial specifications for their particular city.

Mr. Speaker: I point out to the hon. member that his time has expired.

Mr. Cassidy: Fine. I appreciate that, Mr. Speaker.

In conclusion, I would say that that was pushing people around. The government has been defrauding them, it has been fooling them, it has been trying to bamboozle them, and now the chickens have come home to roost.

Mr. G. Nixon (Dovercourt): The member is all wrong.

Mr. Cassidy: That is certainly right. And if the member doesn't think so—

Mr. G. Nixon: How would the member know? He is all mixed up. Everything he says is negative.

Mr. Cassidy: —then I wish he would get up and defend this decision. Not a single Conservative has got up.

Mr. G. Nixon: Everything the member says is negative.

Mr. Cassidy: Not a single Conservative has got up to defend the government, to defend the Krauss-Maffei system, or to defend this fiasco into which the government has entered.

Mr. Speaker: Order, please. The time—

Mr. Cassidy: We have no confidence in this government, which has its transit priorities so mixed up that its back-benchers are even now deserting the sinking ship.

Interjection by an hon. member.

Mr. Lewis: Boy, what a bunch of yahoos. Stand up.

Mr. Cassidy: Come on, let's see a Tory get up. Who can defend the government?

An hon. member: The Tories are bankrupt.

Mr. Speaker: Order, please.

Mr. Cassidy: Which one of them will defend the Premier? Is there not one!

Mr. J. M. Turner (Peterborough): The member for Ottawa Centre is carried away with his own self-importance.

Mr. Speaker: Order, please. I would remind the members that valuable time is being wasted.

Mr. Lewis: Is there a Conservative in the House, Mr. Speaker?

Mr. Gilbertson: He did a good job in every department. The member for Ottawa Centre will never get the chance.

Mr. Lewis: Has the member for Algoma got nothing more to say? Let him go back to Blind River and do something for his community.

Mr. Speaker: The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, in speaking in support of this motion of want of confidence against the government—

Interjections by hon. members.

Mr. Speaker: Order, please. Order!

Mr. Lewis: Throw him out. That is, the member for Algoma.

An hon. member: He'll have his turn.

Mr. J. E. Bullbrook (Sarnia): Has the member for Algoma been fermenting that maple syrup again?

Mr. Speaker: The member for Etobicoke.

Mr. Braithwaite: I want to say, first of all, that the government in wasting two or three years of planning time and huge sums of money with the Krauss-Maffei system, neglected and failed to provide for the wants and the needs of the people of Ontario.

Previous speakers have told the House that they warned the government. The public showed the government and told the government about its concern, but the government didn't listen, Mr. Speaker. And to me that is an indication of the public-be-damned attitude of this government.

Mr. Roy: Right.

An hon. member: Right on.

Mr. Braithwaite: Mr. Speaker, that is why this government is going to lose the next election. They can change leaders—

Mr. Ruston: And they might do that too.

Mr. Braithwaite: They can come out with a tremendous advertising programme just before the next election—

Mr. Lewis: Not within the year.

Mr. Braithwaite: —and they can open the bag of goodies. But I want to say here that it is my conviction, after having convassed in the Carleton East constituency in aid of the new member—

Mr. Turner: The member was down there too, was he?

Mr. Braithwaite: Yes, I was.

Hon. Mr. Rhodes: Part of the big red machine?

Mr. Roy: I think the minister will make a very poor leader.

Mr. Good: He won't even make a good opposition leader.

Mr. Braithwaite: The people of this province have finally understood that this government does not listen.

Mr. Speaker, my remarks are going to be confined to the transportation system in the Metropolitan Toronto area, in particular the northwest part of Metropolitan Toronto. To begin with, I would urge the Premier to complete the Spadina Expressway as quickly as possible. I can't make it any more plain than that. People who live in the northwest area of Metropolitan Toronto, in Rexdale and in North York, should be able to make use of Wilson, Highway 401 and other routes and come down the Spadina Expressway quickly into the centre of the city and to go back at night without any concern.

If the Premier has not visited the Marlee area and the residential streets that are located around the Spadina ditch, I would urge him to do so at once. In fact, I was appalled to hear that he is holding firm in his decision not to complete the Spadina Expressway. As you know, Mr. Speaker, the Premier lives in Brampton. If he lived in the Marlee area, that Spadina Expressway would have been completed a long time ago.

I had the misfortune to be caught in the general area of the Spadina Expressway one night around the closing time for most of the industries. I want to tell you, Mr. Speaker, the pollution from the cars that were stalled and couldn't proceed because of the heavy traffic jams on the residential streets could be no worse than the pollution that might arise if the Spadina Expressway were completed. In fact, I think with the way things are now it is worse. If cities are for people, as the Premier says, then I think, and I know the rest of the members of my party think, that the expressway should be completed as quickly as possible.

Mr. Speaker, I want to mention that I sent out recently a questionnaire to 100 per cent of the households and businesses in my constituency. Without exception, the people who took the time to comment on the transportation situation asked that the GO station that was planned for northern Etobicoke should be completed as quickly as possible. Many others urged me to plead with this government to complete the Spadina Expressway so that they might more easily get into and out of the city, as may be required. Speaking of the proposed Kipling Ave. N. GO station, Mr. Speaker, I have continuously urged this government to complete same. Winter is now almost upon us and no GO station is in operation, and this has happened in spite of the many promises given to residents of the area.

I recall in the early summer, Mr. Speaker, the Premier and the mayor of Etobicoke coming down from Georgetown on the inaugural run of the GO system in that area, and the Premier making another grandstand show and stating that it won't be long before a GO station was opened in Rexdale. In this House I asked him if that meant that one was going to be built there, because there

had been some doubt about it, and the Premier said, yes, and that it should be by early fall. I want to remind the Premier, Mr. Speaker, that it is now early winter and that we should have a GO station in Rexdale by now.

Mr. Speaker, in fairness I should state that work is being carried on on what appears to be the location of a proposed GO station on the northeast corner of Belfield Ave. and Kipling Ave. in Rexdale. As far as the residents of the northwest part of Rexdale are concerned, this appears to be the wrong location. Most of the people who will be using this GO station will be coming from the area north and west of the station. Some will be coming south on Kipling Ave. from Albion Rd., and others will be coming down Highway 27 across Rexdale Blvd. and south on Kipling Ave. to Belfield Ave. All of these people, Mr. Speaker, will have to make a left-hand turn at Belfield Ave. They will have to cross Kipling Ave. and will then have to make another left-hand turn into the GO station. It appears that there will be chaos.

Mr. Speaker, one wonders why the GO station wasn't built on the site of the existing Rexdale railway station, the CNR station that is no longer used. It has the name Rexdale and is located on the northwest corner of the intersection of Kipling and Belfield Ave. There is a parking lot already there. There is a Hydro right of way and, lastly, the station is already called Rexdale. I should point out, Mr. Speaker, that most of the residents of the northwest part of Rexdale are concerned that the government refuses to listen to them and it refuses to call the new station Rexdale. I would urge the government to reconsider because the postal station in that area is Rexdale, the general identity of the people who live there is Rexdale, and it makes no sense to call the proposed station Etobicoke North when it is built.

Hon. Mr. Rhodes: That is what the mayor wants.

Mr. Braithwaite: Having talked about the GO train system, I want to turn to the real needs of the people in northern Etobicoke for better transportation facilities. Buses are few and far apart and people who live in the general area have a very difficult time, particularly in the winter.

At this point, Mr. Speaker, I want to point out that the average person who lives in the Rexdale area is in the middle- and lower-middle-income class, and this means that he or she must get to work by public transportation. I have already mentioned, Mr. Speaker, the difficulties that people have in getting to work. Time does not permit me to go into the problems that some of our senior citizens who live in the Rexdale area have in getting out to work, getting to church, or getting down into the centre of the city to see their relatives. There are several senior citizens' homes in the extreme northwestern portion of Rexdale, Mr. Speaker, and these people could certainly use a better transportation system. The government could better have spent time planning for this type of system than on a pie in the sky with Krauss-Maffei.

Now, Mr. Speaker, I could never understand why the government has not—

Mr. Speaker: Order, please. The member's time has expired.

Mr. Braithwaite: I'll close, Mr. Speaker. I could never understand why the government hasn't extended the dial-a-bus system to Rexdale. Mr. Speaker, I can only say this. They put it into areas such as Bayview where people have two and three cars. Working-class people—

Mr. Speaker: Order, please. Would you close off right away, please?

Mr. Braithwaite: I am closing off, Mr. Speaker. Working-class people in Rexdale could and would make such a system profitable. I urge the minister to consider extending it.

Now, in closing, Mr. Speaker, I want to say—

Mr. Speaker: Order please. The member is well over his time.

An hon. member: He is just closing.

Mr. Braithwaite: I am closing, Mr. Speaker.

Mr. Speaker: Please close.

Mr. Braithwaite: All right. Now, all I am saying, Mr. Speaker, is this.

An hon. member: He is wrapping it up.

Mr. Braithwaite: This government has made it quite clear in its transportation planning that the needs of the people are not important; the wishes of the technocrats are.

Mr. Speaker: Order please—

Mr. Braithwaite: I want to say—

Mr. Speaker: The member is not doing as requested. Will he please take his seat? The next speaker is—

Mr. Braithwaite: In sitting down, Mr. Speaker—

Mr. Speaker: —the member for Sudbury.

Mr. Cassidy: We are waiting for a Conservative, Mr. Speaker, but they won't defend the government.

Mr. M. C. Germa (Sudbury): Mr. Speaker, it is with pleasure that I rise to support this motion of no-confidence in the government, on account of the mishandling of public transportation development in the Province of Ontario. One would suspect that a person coming from northern Ontario would not be too concerned about such a concept, because I am sure the minister knows that we in northern Ontario, even if we live for another 50 years—and let's hope we don't—would never see such a concept in the northern part of the province.

I am concerned, Mr. Speaker, about the motivation behind the government, when in Nov., 1972, with great fanfare at the Ontario Science Centre the Premier, with visual aids and bands, lunches, and everything else going for it, announced this new concept in transportation. It is proven here today, I believe, that the thing was a politically motivated gimmick aimed at the 1975 provincial general election. Unfortunately, this is not to pass because we can see now that Krauss-Maffei is dead as a dodo bird. I have it on good authority that there were plans to paint the big train blue when they did pull it around the track in the fall of 1975.

Now, the government did try to justify their decision by technical means, but I think they failed in every count. The original concept of Krauss-Maffei was to fill a need for a transportation capacity of between 6,000 and 20,000 passengers per hour. If the thing had worked it possibly could have carried this number of people, but when you break down the facts and figures and see how many coaches, cars and trains you would need in order to reach the maximum upward limit of 20,000 passengers per hour in each direction, you would see that you would have to have 22-second headway limits on six-car trains and coaches costing -8 million per mile, Mr. Speaker.

The whole thing, even from its basic concept, was away off base, first of all, because there is no system in the world operating at a 22-second headway, let alone an unknown system of magnetic levitation.

It has also been proven to the government that there already was a mode of transport which could have been increased to capacities of 24,000 passengers per hour. That is the light rail system. My leader dwelt a bit on that and I would like to expand a little bit on what the government has missed in the past two years by not going for a concept which is already tried and proven and in place.

The government was given all this information in Nov., 1972, by the Streetcars for Toronto committee, which was formed when even the city of Toronto was considering downgrading the light rail transit system. The committee did a lot of work and they offered this work free to the government but, of course, it rejected that.

The Krauss-Maffei system had a basic and inherent weakness in that once it was in place its capacities could never be expanded beyond the 20,000 maximum, even after having used all these coaches and trains. The only way it could have been expanded was to put another rail right alongside. We all know that that would have been impractical, because I still don't see why the government would want to elevate these things to everyone's view. Regardless of how much time and money are spent trying to make an elevated rail aesthetically acceptable, you will never arrive at the optimum position where the thing is sightless. The higher you raise it the more people will see it and the more obscene it is on the landscape.

As for the capital cost, as I have said before, we can build streetcar lines now for about $3 million a mile. Yet our demonstration project here was going to cost us about $17 million a mile. Even financially the thing had no hope of survival. The capital cost involved was phenomenal. I from northern Ontario object vigorously, Mr. Speaker, to this kind of money being taken from the consolidated revenue fund of the Province of Ontario, first of all, to create a problem by telling us we have this great problem, and then trying to solve it with this Mickey Mouse oufit known as Krauss-Maffei. We in northern Ontario, as came out in the committee estimates, are sorely needing the fundamental modes of transportation, and we object strenuously to the government even thinking about putting $1.35 billion over a 10-year period into such a project, a project which never had a chance right from the beginning.

Another argument that the government used to adopt this kind of system is that operating costs could be reduced because of the reduction in manpower. It was supposed to be a computer-operated machine with no

attendants or drivers. We all know what happened to the Bay Area Rapid Transit System. They built their coaches without a windshield; the system was designed for computer operation. What did they do a few months ago? They cut holes in the front of the coaches and there are still operators in those trains. With that evidence and that experience, because in this world we don't live in isolation, the minister should have looked into what happened down at the Bay Area Rapid Transit System. They have been trying to get that thing off the ground for about three years and they can't get any closer than about a five-minute headways and here we are telling the public we are going to run on 22-second headways. The whole thing was unthinkable. I as a layman can see through that kind of fog and I think we told you that earlier.

Also the performance and speed were cited. This thing was going to float along at a high rate of speed, and it is proven that light rail transit can operate at the same speeds as the magnetic levitation system was supposed to go. Its maximum top speed was going to be 55 mph provided we had our stations at one-mile intervals. We know that we're not going to supply a service when we have stations at one-mile intervals, so the hope of this machine ever getting to 55 mph was a hopeless dream. Light rail transit on a private right of way can go at 55 mph, so there was no gain there for the added money which was going to be spent.

I've talked about the unacceptability of elevated guideways. There was no purpose in doing that. Something else came to me very early in the debate and I couldn't find it in Hansard, but I did raise a question to the Minister of Transportation and Communications of the day. Shortly after the announcement was made I asked him about energy consumption. The question was posed in a fashion to ask him whether he had made some special deal with Ontario Hydro to subsidize the electrical costs which were going to occur in this kind of system. The minister told me that the energy costs were not going to be any higher than for a subway or a streetcar, per passenger mile. That has proved to be a falsehood. We already know—and there are studies on the books which show this—that the electrical costs alone per passenger mile are 4.46 times higher for Krauss-Maffei than they would be for a subway system. So, in this era of diminishing energy resources, it is important that we think of the energy costs when we're designing an urban transit system.

Mr. Cassidy: And that's where the minister fell down on the system.

Mr. Germa: We have the Ontario Transportation Development Corp. I think it's a good concept. I spoke in the House when that legislation came through the House. But there are so many things on the ground which should be looked into. I'm going to ask the minister to respond.

Mr. Speaker: Will the hon. member conclude his remarks now please?

Mr. Germa: I'll just ask this one question, Mr. Speaker: Would the minister ask the Ontario Transportation Development Corp. to investigate the feasibility of regenerating electricity through their braking system? Just the power developed in braking the subway cars could almost drive the subway itself.

There's a simple project for the OTDC. If they can solve that problem and institute that in the machines that are already operating they could pay their wages for the next two years.

Mr. Speaker: The member for Scarborough Centre.

Mr. Roy: Oh boy. Hang on, hang on, here we go.

Mr. Cassidy: I'm glad somebody has confidence in the government.

Mr. Roy: Let's go, hit it broadside.

Mr. F. Drea (Scarborough Centre): I have every confidence in the government. If I was a member of what I was going to call later today the little pink popgun, I would be a little disturbed at bringing in a motion of want of confidence in this government.

Mr. E. W. Martel (Sudbury East): Call it "red," that's what he wants to say.

Mr. Singer: That's a good start.

Mr. Martel: He sounds like the Premier now.

Mr. Drea: Mr. Speaker, I would hope that when I am the subject of some rather rude and not very profound interjections you don't take it away from my 10 minutes.

Mr. Speaker: No. Everything will go straight through for 10 minutes.

Mr. Roy: Sorry about that.

Mr. R. Gisborn (Hamilton East): Time's up. Sit down.

Mr. Drea: Mr. Speaker, I would like to talk for a few moment in the context of the remarks that have been made this afternoon, first, that the transportation planning system and concepts in this province are in a shambles because of Tory infatuation with the Krauss-Maffei system and—

Mr. I. Deans (Wentworth): True.

Mr. Drea: —secondly, that this government is an object of ridicule and derision because of the events surrounding the West German government's decision, and inevitably ours, to limit the developmental work on the Krauss-Maffei system.

Mr. Speaker, I would like to talk to you about the record of this government in the field of rapid transit and in transportation. According to the notice paper, this government, because it was preoccupied with a magnetic levitation transportation system, has "severely limited capital for more conventional and immediately available systems."

Mr. Speaker, it is a matter of record that the bus, subway and streetcar riders of Metropolitan Toronto, during the time that this government was engaged in developmental work on the Krauss-Maffei system, the people in the suburbs had their fares cut in half by this government. Furthermore, Mr. Speaker, the fares of all transit riders of Metropolitan Toronto have not risen because this government has put a freeze on them, because we subsidize each and every one of the mass transit riders in Metropolitan Toronto who use the Toronto Transit Commission system.

Mr. Roy: Talk Krauss-Maffei.

Mr. Drea: Secondly, Mr. Speaker, during the time that the Krauss-Maffei system was undergoing developmental and technical evaluation in Germany, our transit developmental corporation was subsidizing and, indeed, introducing a great deal of new technology into the light rail streetcar. That, Mr. Speaker, is a matter of record.

Furthermore, Mr. Speaker, during that time there has been approval by the Metropolitan Toronto council for two new subways: One of them entirely new, the Spadina route; the second one much closer to home, the extension of the east-west subway from Warden Ave. to Kennedy Rd. Mr. Speaker, at all times this government has been prepared to pay 75 per cent of the cost of the land, the construction and the vehicles used on the routes.

Mr. Speaker, at the same time the GO-train service has been expanded from its original operations along the Lakeshore. Indeed, during the period when we were supposed to have done nothing except be infatuated with magnetic levitation, Mr. Speaker, we have brought in the GO-bus service to the north. Mr. Speaker, we have extended the GO service by bus to the east and to the west.

Mr. Martel: Dial-a-bus.

Mr. Drea: Mr. Speaker, we are now looking at two new GO-train routes. Mr. Speaker, this hardly speaks of a government so infatuated with a new mode of technology that it abandoned all efforts towards not only subsidizing, but, indeed, bringing into fruition conventional modes of transportation. When people talk about the rising number of transit riders, not only here but elsewhere—

Mr. E. Sargent (Grey-Bruce): He is off the track.

Mr. Drea: —Mr. Speaker, I suggest to you if it wasn't for this government, the fares on the TTC would be so high and the service so infrequent that, indeed, the trend would be the other way. Mr. Speaker, I suggest to you in the days when the fare used to go up, that every time there was a fare increase on the TTC, the number of riders went down; and that is a matter of record.

Mr. O. F. Villeneuve (Glengarry): He is telling the truth; the truth hurts.

Mr. Drea: The number of riders has only begun to rise in proportion to the population, and even above that, since this government began pouring millions of dollars into subsidies—not only into the Toronto Transit Commission, but into every transit commission across this province. That is why the Premier of this province received the Transit Man of the Year award. This province is the envy of every jurisdiction in North America—

Mr. Roy: Is he going to give it back?

Mr. Drea: —and it ill behoves a member from a place where there wouldn't be even bus service if it wasn't for our subsidies, to stand up and say we are infatuated.

Mr. Speaker, it seems to me there are four items that have been brought up. One, that the Krauss-Maffei was a waste of funds.

Mr. Cassidy: That's right—it collapsed.

Mr. Drea: Mr. Speaker, the Minister of Transportation and Communications and his

predecessor, the member for Armourdale, are to be commended that the contract was so tightly written in a developmental field that we have received money back. I know of no other place where technology was being developed by someone for someone that when the technology for one reason or another was found wanting within the contract time, that there was money refunded.

Mr. Speaker, I suggest that you look at those over-aged, underdeveloped, non-working destroyer ships down in the Province of Quebec. What a monument to the federal party. Not a penny back. But in this one, the money is back.

Second, is it a waste of time? Mr. Speaker, I have outlined what we have done in this government in the last three years to not only popularize transit but to subsidize it and keep it within the means of the working men and women, whether they work for hourly wages or for very high salaries. We have kept it within their means, so that it is an effective competition against the automobile.

I suggest to you, sir, it ill behoves a member who may be a little upset today since he is going to have to pay a tax on that high-powered energy vehicle that he wheels down in from the north, because his federal Minister of Finance has pulled the plug on his extravagant travel habits, to point the finger of derision at this government.

Mr. Roy: Who is driving a big car?

Mr. Drea: Mr. Speaker, is it a waste of technology? No, I suggest to you, it is not a waste of technology. To not look at technology and to not look at the future is the only waste of technology.

Mr. Speaker, we now have the cheapest and best forms of transit and rapid transit on this continent. I suggest to you the only way we can make it cheaper is along conventional lines; and I am not talking about light-rail streetcars, but our existing system. They say, "Make it cheaper and better." Well, we can use the pushers, the shovers and the kickers they use in Japan. They do get more people on and the trains do move faster. But I am not so sure our people want to do that.

Mr. Deans: We could use the secretary for—

Mr. Drea: Finally, Mr. Speaker, I think the time has come that the municipal councils have to stand up and say what they want. If they want light-rail streetcars, then fine—

Mr. Roy: The Premier told them what they are supposed to want.

Mr. Cassidy: That's right.

Mr. Drea: That is not true.

Mr. Speaker: Order please. Order please.

Mr. Turner: Does the member for Ottawa East want to make a speech?

Mr. Drea: Mr. Speaker, now that I have been interrupted I think I should have the right to answer that. We have heard how the Scarborough corridor study was merely an excuse to bring in the GO-Urban system. That is a canard.

The Scarborough study was to see if indeed there should be a Scarborough Expressway, if there should be light-rail streetcars. Let the member read the report on it. They ask: Should there be an expressway? Should there be light-rail transit?

I suggest to some of those who are shrieking right now for light-rail transit to wait until it goes down the Gatineau power lines, through the backs of their ridings; then they will find out, all of a sudden that their constituents are not exactly enthralled. At that point we will be blamed for introducing light-rail transit.

Mr. Roy: The government can't do anything right.

Mr. Drea: That, unfortunately, is the record of the two opposition parties, who so far this afternoon have not offered a single alternative, not a single hope, not a single anything except to say that this government has been found wanting

Mr. Bullbrook: This fellow's after the job of the Minister of Transportation and Communications.

Mr. Roy: If the minister keeps it up he is going to get it.

Mr. Drea: Mr. Speaker, in closing, on the basis of the record, I suggest to you that this government and its record are not only impressive, but indeed put the lie to the accusation that there is a want of confidence, not only in the government but in the Premier, and in my friend, the Minister of Transportation and Communications.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Thank you, Mr. Speaker. I certainly was intrigued by the comments of the hon. member for Scarborough Centre. His imagination so often runs riot with him, as it did this afternoon, that he can't tell the

woods from the trees or even where the forest is. Unfortunately, he gets himself all mixed up.

Some hon. members: Oh, oh.

Mr. Turner: The member had better open his eyes.

Mr. Singer: He talks about subsidization and says that had it not been for this great blue government in Ontario, the fares in Metropolitan Toronto would be double what they are.

Mr. Speaker, you yourself know, because you had great service for many years in the city of Toronto, that the TTC ran a pretty good ship for a long period of time—

Mrs. M. Campbell (St. George): Without any help.

Mr. Singer: And they built their subways with their own money.

Mr. Givens: Out of the fare boxes.

Mrs. Campbell: That's right.

Mr. Singer: This so-called saving to Toronto of half the fare, or the great giveaway that they gave by cutting the fare in half, just doesn't display any understanding of what happened. Whose money is he talking about? He is talking about money of the taxpayers of the Province of Ontario, a little of which the government really had to give to help Metropolitan Toronto function.

Mr. Givens: We shared our beer with them first.

Mr. Singer: Yes, it is not as though they suddenly discovered nirvana. It isn't as though they suddenly said, "Oh, that poor city of Toronto has to have something done for it so we're going to cut their transit fares in half." The member knows as well as I do—and you perhaps better than both of us, Mr. Speaker— how hard the taxpayers of the city of Toronto worked to develop a transit system that paid its own way. It only got into trouble when the government started to interfere, when the government began to ignore plans that had been made over many, many years.

It was too much for that fine man Charlie MacNaughton to sit in this House any longer, after he had been repudiated by his leader and forced to renounce contracts he himself had signed. Gordon Carton—I'm sorry, the hon. member for Armourdale, he's still a member — couldn't really take the kidding about the kiddy-car ride. He inherited that one day and he did his best, albeit that it wasn't good enough to try and justify the imaginative scheme.

I can well remember the day in the House in June, 1971, when the Premier rose in his place and said, "We're cancelling Spadina," and the Tory benches applauded and the new world had come to Toronto. I can well remember that one of the first things they did was to employ a man named Buckminster Fuller who dragged off his shelf a whole series of pyramid drawings. He'd used them 21 times before but he was able to con the government into spending another $15,000 to have them adapted to the Spadina right of way.

I can well remember my Tory opponent in that election saying: "When Buckminster Fuller's pyramids are built on Spadina, it will be the eighth wonder of the world. People are going to come as they do to see the Golden Gate Bridge at San Francisco or the pyramids in ancient Egypt. Those are the great things that the government does for us." Her voice just broke. She got 14 per cent of the vote in Downsview, which was the smallest percentage of any Tory candidate in the whole Province of Ontario, so somehow the message that was being conveyed by the member for Scarborough Centre to the people of Ontario this afternoon seemed to fall on pretty deaf ears in the northwest segment of Metropolitan Toronto.

What has been done? I tell you there has been a betrayal of the people in the northwest segment.

Mr. Givens: Darn right there has been!

Mr. Singer: There was a cancellation of a plan that had been worked on by successive Metropolitan councils and local councils for years and years and years. Government cabinet ministers had put their signatures and their pledge and the pledge of government to a plan of future development. In one stroke of the pen—and for nothing more than election advantage—the Premier scrapped it in June, 1971. For what? Only for political advantage. Finally he had to come up with some other system. So off we went into GO-Urban, the intermediate capacity system of transport, Krauss-Maffei, kiddy-car rides at the exhibition, for $10 million, $15 million, $20 million. Who knew how much it was going to cost? Nobody knew how much it was going to cost.

The member for Scarborough Centre talked about the experiment that was going to be conducted in Scarborough and said it had

nothing really to do with GO Transit. I wonder if he has seen this release that comes from the transit planners.

> Northeast Corridor GO-Urban Study Area First in Province: Northeast Metro Gets First GO-Urban Study.
>
> The first GO-Urban study in the province is taking place in the northeast corridor of Metropolitan Toronto. GO-Urban is the name of the new intermediate capacity transit system announced by Premier William Davis last November."

What else can that mean except that was where it was designed to be put? So it is with tongue in cheek, or forked tongue, or however you want to put it, that the member for Scarborough Centre can get up and mouth the ridiculous statements that he tried to put forward this afternoon and expect that anyone really is going to believe it.

The unfortunate thing, Mr. Speaker, is that this government, for reasons of political expediency only, put all its eggs in one basket. Transit Man of the Year? There was a cartoon in the Sun not too long ago with himself ripping off his coat and underneath was a T-shirt with a big T on it—"This is a job for Mr. Transitman." You'll never guess whose picture was depicted underneath that T-shirt. Well, if he is Mr. Transitman and if he is the Transit Man of the Year, why didn't he do something to help the people of Metropolitan Toronto?

The record has been a sad one. Krauss-Maffei is a dismal failure. Whether we'll ever find out how many hundreds of thousands or extra millions of dollars we wasted is perhaps questionable. But that's gone. But the years that we've wasted because of Davis' folly—the kind of demonstrations that were put on, the pamphlets that were put forward, the best PR men in the world competing one with the other to come out with more glowing phrases, nicer pictures, fancier diagrams, greater routes, more conferences — and the film, the film with the hon. member for Armourdale, I thought that was a beautiful touch; the one we saw at the Science Centre in November of 1972.

Mr. Sargent: That's show business.

Mr. Singer: Oh, that was just beautiful. There he was, the then Minister of Transportation and Communications, pointing with pride at the mockup of the great Krauss-Maffei system that was going to invade and permeate the whole Province of Ontario.

Is the government going to get paid back for that film? That would be very interesting. But he looked very good. The hon. member for Armourdale is a good-looking man and he was really pointing with pride and beaming.

Mr. Roy: Then he took the show on the road.

Mr. Singer: To think he had to go all the way to Germany to get those pictures taken.

So that didn't work. Then we had dial-a-bus. There are some wonderful phrases in here. I note the Premier in one of these great press releases was saying, "We are very sympathetic about their problems in the northwest sector because we did stop the Spadina and they really have no way of getting in and out, so we are going to do something for them; we are going to give them dial-a-bus. And dial-a-bus is going to be a great boon." Well, they tried dial-a-bus for a while and nobody used it. They can't give it away now.

Interjection by an hon. member.

Mr. Singer: It's so expensive to run nobody wants it. The body collapses in a very short period of time and it has to be replaced. I'm told the transmission falls out of it. But the most important thing wrong with dial-a-bus is that nobody uses it.

I suggested here in the House, Mr. Speaker, that dial-a-bus sounded very interesting and might well work in the outlying communities, some considerable distance away from the urban centres. But when I asked how as a dial-a-bus going to get around on the already overcrowded streets of Metropolitan Toronto, how was it going to go out into a street like Bathurst st., or into a street like Dufferin St., or into a street like Keele St., or Lawrence or any one of those streets in the rush hour, and try to get people somewhere where they wanted to go when traffic couldn't move there at the present time, there was no answer. Obviously the performance has indicated that the government reaches for any little bit of pie in the sky that it thinks might be appealing.

There was a poll that Peter Regenstreif did, that was reported in the Star on Saturday, which indicated that 61 per cent of the people want Spadina finished and that 15 per cent don't think it's such a good idea. You know, 61 to 15 is a pretty serious percentage, and surely there must be the odd politician over there who can recognize the significance of that kind of polling. Whether, as Diefenbaker once said, polls are for dogs or not, and whether one casually dismisses a poll because

one doesn't like it—and I've been guilty of that on occasion myself—when there appears to be such an overwhelming voice of the people in favour of something more and something now, how can the government fiddle around? How many more minutes have I got? One minute?

Mr. Speaker: Ten seconds.

Mr. Singer: Ten seconds? How can the government fiddle around any longer with schemes that don't work, and waste time and waste the public money? Mr. Speaker, certainly this vote should be supported and I would hope that many members sitting on the government side—including yourself, sir, if you are not occupying that chair at the time—who know the problems of Metropolitan Toronto and how badly it has been treated by this government, will support this no-confidence motion.

Mr. Speaker: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I rise to support this motion of no-confidence this afternoon, and in doing so I must say that I have been one of those in this House who have been extremely interested over the years in innovative modes of transportation, as many of us have been.

An hon. member: The record will bear that out.

Mr. Young: It was my privilege to be in Albany at the invitation of the then Sen. Spino when the first original concept of a safety car was unveiled, and then along with Heward Grafftey—one of those perennials who seem to have survived in Quebec over the years—in Washington for a couple of hearings where we testified about our interests, and we hoped the interests of our people in this part of the country, in the whole concept of better modes of transportation.

Mr. P. D. Lawlor (Lakeshore): Some of the brighter Conservatives.

Mr. F. Laughren (Nickel Belt): The only ones.

Mr. Young: At that time, at my suggestion, the former Premier—perhaps being a man of some vision—invited Sen. Spino to talk to the Legislature about the whole concept of the safety car and safer transportation. That was good, but in that whole period I think the thing that some of us were trying to do was to point out to our people here in this Legislature, in the province, that very important experiments were going on in the whole field of transportation, experiments that we ought to be watching and perhaps participating in to some extent, but leaving it in a large measure to larger and stronger jurisdictions to carry out the actual experimentation.

During the 1960s we had an investigation carried out called the MTARTS study. I have cabinet drawers full of their reports, and these are just a couple of them. We had, I think, one of the most comprehensive studies of what might be done to meet the transportation needs of the whole Metropolitan Toronto area. They brought forward certain suggestions without coming down on any one particular side or without giving priority for one route against another, but they did outline the costs that might be involved in extending GO Transit into the periphery of Metropolitan Toronto. And there is much interest in that.

The strange thing is that the government sort of dragged its feet in the implementation of this report, and for a long time we saw very little results. The member for Scarborough Centre tries to tell us that this great government did this, that and the other thing in bringing about lower fares and bringing about new routes for GO, and all this. But let's remember this, Mr. Speaker, that this was done reluctantly only after very terrific pressure on the part of local people and on the part of opposition members. It was a holding effort on their part, because by that time—although we had not made a public announcement of it— the ministry officials had been travelling to Germany and around the world, and had been looking at what they thought were more sophisticated transit modes, rather than steel wheels on steel rails. They were getting ready for something different and dramatic.

So MTARTS was put into the freezer for a while and the whole report downgraded until this tremendous announcement we had over at the Science Centre. About that time we began to realize the awful pressure and that GO-Urban couldn't possibly be realized for some years. This government was reluctantly back into the situation where it had to grant more money for public transportation. It had to think in terms of moving the GO Transit lines out to the west to Georgetown and north to Richmond Hill. It just couldn't wait for the new concept because of the pressure of the people; that's what happened.

So we had this kind of situation that well after the need and under pressure, these things were done and done reluctantly, because the government seemed to feel that

this new linear induction motor was going to solve the problem; and when it was solved a new day would dawn. I think many of us felt at that time that we were willing to listen to this sort of thing but we shouldn't put, as so often has been said here this afternoon, all our eggs in the one small basket, because that's not good enough. While we could watch and keep in close touch with these experiments that were going on across the world, we should have been looking at what is practised at the present time.

I have in my hand a report called "Tomorrow's Transportation," which came from Washington at about that time and it says these words, and I want to quote them:

> The profiles of urban change and some of the shortcomings of present urban transportation are delineated in the following pages as an introduction to what must be done to develop new transportation components and systems for the future.
>
> While new breakthroughs in transportation systems and services are the ultimate aim, [the aim of research that's going on] a sound research and development programme must begin with present problems, available resources and current behaviour. Hence, a part of this report examines the promise of existing technologies to improve present transportation systems, but makes the recommendation that immediately the need must be met with current technology to move forward to transport our people.

And then, after it has outlined the different systems, including the magnetic levitation system, it says:

> Each of these types of systems, in their present and projected states of development, has some major problems, however, compared to other systems examined. Until these problems are resolved, such systems appear to offer few salient advantages and would have relatively limited application for travel within urban areas.

This was the situation while the United States was still moving forward with experimentation and while Germany was moving forward. We heard from the leader of this party this afternoon, in a good deal the same words, the results of what has happened over there.

In the United States at the present time, certain developments are taking place which I just want to mention. Trans-bus vehicles are being tested in a Phoenix, Ariz., test centre. Those are new types of transit vehicles which should help solve some of our problems. Undersecretary Barnum reported very recently on the state of commuter railcars, the all new advanced-concept train now under development. The advanced-concept train will be powered by a flywheel propulsion system designed to store and reuse electric power. That is an experiment that is going on.

We also have an all-time record—it was announced on Aug. 16—for a steel-wheeled vehicle on steel rails of more than 250 miles per hour. It was set on Wednesday, Aug. 14, 1974, by the United States Department of Transportation's linear induction motor research vehicle undergoing testing at Pueblo.

These are a few of the things going on. There is also something I mentioned in the estimates the other day concerning a Ford Motor Co. contract calling for a 16-month research effort to determine—and these words are interesting—"the feasibility of using magnetic fields on which a wheel-less vehicle could ride just above the ground at very high speeds." That experiment is going on there, and the Germans are still doing it with the idea that something might emerge for long-distance travel. But as far as short-distance intercity work is concerned, this project is out the window.

While I think that we should always have our minds open to new ideas, I don't think a jurisdiction of this size has any business experimenting when large nations with very much greater resources than we have are doing this experimentation. I think we can carry on watching this, participating as we might in a minor way, keeping in close touch, and when the time comes being able to use these innovative approaches.

Mr. Speaker, as my time is up, I would simply say that I support the motion. I believe that this government is condemned because of its all-out support of one mode of transportation in a world which needed far greater variety of development.

Mr. Speaker: The hon. member for Ottawa East.

Mr. Roy: The member for St. George yields, Mr. Speaker. She is a very gracious lady for yielding to the very simple comments I want to make on this.

I think it is important, as one who represents a riding in the city of Ottawa and who I suppose represents people who have been seduced by this grandiose plan, to make a few comments in support of the motion.

I would like to say sincerely to the minister that the comments made by the Premier of the province about our cynical approach

to the hearing of this news about the difficulties that were experienced with Krauss-Maffei were very understandable. Yes, we are deeply concerned, because had we felt that the system could work, it certainly would have been something to look towards in the distant future. But the point about which we were so cynical is that he has been so very political about it. It was to have been one of the cornerstones of his campaign for 1975.

The point is simply that when the Premier originally cancelled the Spadina Expressway, that again was done for political motives at the time. We can recall the surveys by the Detroit firm, saying in effect, "If you are going to win the election in 1971, you have got to blossom as a leader in this province. You have got to take some hard decisions." That basically was the reason that the Spadina Expressway was cancelled. That was one of the hard decisions. The other hard decision, of course, was the question about the separate school boards. They were decisions to show that this man had leadership qualities.

But at the time he made the Spadina decision, the irresponsible part of it was that he had not proposed any alternative. So we waited, following the 1971 election, in which he was extremely successful, in which they sold the man as a leader. But he proposed no alternative for a period of approximately two years. We kept saying, "What is your alternative? It is all very well to spend $150 million in a ditch and then cancel it. What is your alternative?"

A number of my colleagues have mentioned some of the alternatives that were proposed by Buckminster Fuller for pyramids and so on in the ditch, but the point about the magnetic levitation system is that it was orchestrated for 1975. That is why the minister was so enthralled. The point has been made by my leader that the blame must rest on the shoulders of the Premier, not on the minister's shoulders. I suppose if there is any blame to rest on the minister, it is for his doggedness or his partisan approach in defending a system which he knows will not work on a long-term basis. I suppose that the minister's predecessor felt ill at ease, as I suggest the minister feels ill at ease, in considering the options that are now left after this system.

In any event, the great thing about the magnetic levitation system is that, first of all, the Premier grabbed the imagination of the public by pointing out that there were no wheels on this thing, that this was something they could look forward to in the future. It orchestrated well with this medal and the whole thing. It would have been beautiful to see the little trains going around overhead at the CNE. He could have pointed to them and said: "Look, in 1971 we blocked off Spadina. Now, in 1975, we have the system that is going to replace it. There you are, you lucky citizens. I'm Mr. Transportation Man of the Year, and this is how we are going to get into 1975. This is what all the shouting was about."

Then the Premier went about the province, and again with a political approach. In other words, the Premier of this province took a risk, and it is backfiring. Mr. Speaker, you will recall the big spectacle at the Science Centre. I recall, for instance, the road show when it moved to Ottawa. This is somewhat humorous. All the ministers came down. The minister's predecessor came down, and all the local Conservative people were there. I recall when the Premier went to Ottawa with the film, and so forth. He was so excited about the performance that he put on in the auditorium at Algonquin College. In fact, he introduced some of the opposition members who were there and he forgot to introduce the former member for Carleton East, Bert Lawrence, who was sitting next to him. In fact, he forget to introduce the former Minister of Housing. I could see the concern on their faces.

Of course, at that time I realized that the former member for Carleton East was in trouble because he was sitting right next to the Premier and he forgot to introduce him. He introduced everybody else. I recall he introduced the member for Ottawa Centre and myself, who were present at this extravaganza.

I can still see the Minister of Housing chasing him around at the back of the stage, pulling on his sleeve and saying: "Look, you've got some Tories in the place. Introduce us." In any event, Mr. Speaker, this is one of the performances which we found extremely distasteful. This is what the government is facing now, because it has backfired.

My colleague has mentioned before the need for the track around the CNE. This is one of the points that was raised in the estimates. I think the minister has still not clarified the situation.

The track around the CNE was supposed to have been built because the facilities in Munich, or wherever the track is, were not adequate to properly test the train. The point I don't understand is: If you're really serious about continuing the programme, why would

you cancel the programme at the CNE? If, apparently, you're going to carry on with this thing, you're going to have to build one there sometime anyway, or you're going to have to build something in Munich so you can properly test the system. It's an illogical approach the government is taking, now that the thing has backfired. It's something it is going to possibly live to regret.

Mr. Speaker, I recall as well the embarrassment of the former minister about the approach taken by the Premier in this. I will get back to the point. It's a small wonder that the Premier has been staying away since the news of the Krauss-Maffei system broke last week. It's a small wonder that we don't see him in the House; that we don't see him posturing across the province. It is somewhat of an embarrassment. Certainly, Mr. Speaker, it is a blow to the 1975 election for the Conservatives, apart from the other blows that they've suffered on four different occasions, at least, since 1971. Of course, the polls in the Star again reveal what happens when a leader loses his credibility with the public in this province.

This is why, Mr. Speaker, we are so cynical about this. For instance, in the Ottawa area the dial-a-bus system works, and I suppose the light rail system would be something that would be practical because of the relatively light population in some of the city's areas. But the magnetic levitation system has no useful purpose in an area like Ottawa. We even question the system working in the atmospheric conditions there. We have serious doubts about that.

Every second pamphlet we saw was changed about how the system was supposed to work in Ottawa. On one particular pamphlet it showed the system going on a particular right of way. On the next pamphlet the right of way was changed, with no consultation at all with the local authorities.

So, the government was political about this. The Premier of this province was political about this. I'm suggesting the minister, if he is to fulfil his duty—and I can appreciate that he has to save face, but sooner or later he is going to have to face the music. Sooner or later he's going to have to level with the public of this province. I suggested to the minister during the course of his estimates that he quit being political and say: "Look, we're not spending another nickel on this system unless we can show that we can bring it to a fruitful conclusion—that the system will work."

Hon. Mr. Rhodes: I said that.

Mr. Roy: The minister did not say that. He wants to go through another additional phase. He wants another 120 days.

Hon. Mr. Rhodes: No I don't.

Mr. Roy: He wants about 120 days, some five months or so, to make up his mind. He is going to spend further sums. He wants to go through what he calls phase one. Mr. Speaker, he is going through phase one—

Hon. Mr. Rhodes: No, it isn't.

Mr. Roy: —Mr. Speaker, are you suggesting that I sit down?

Mr. Speaker: There is 15 seconds to go.

Mr. Roy: Fifteen seconds; that's just about what I need to wrap this up.

He was suggesting, Mr. Speaker, that we have to go through another phase without knowing how much we're going to spend.

Hon. Mr. Rhodes: Not correct.

Mr. Roy. —how long it's going to take, and what it's going to cost. I say he should face the music now. The Premier has seduced the citizens of this province long enough. Let's come out with the facts. Let's be straight with them for a change.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, it was not my intention to participate in this debate, but I'd like to offer some constructive suggestions—

Mr. N. G. Leluk (Humber): That would be nice for a change.

Mr. Turner: He is the only member who offers them.

An hon. member: The member is always constructive.

Mr. Burr: —and perhaps a little advice to the minister. As the minister knows by now, I drew to the minister's attention almost two years ago a concept of automatic mass rapid transit called Instaglide. It has several advantages. In the short time that I seem to have available, I might record a few of these. Instaglide can transport any required number of passengers in a community safely, cheaply, quickly and noiselessly. Because the track requires only a square yard of property every 60 ft or so, Instaglide uses very little earth space. Because it can be dismantled and moved to another street or another location

very simply, it would never turn into a white elephant, as the University loop of the subway has done.

Installation takes a matter of months rather than years. Linear Air Motors Ltd. claims that it could install the system at the CNE for August—and this letter was written in December of 1972. Because it is automatic it can run 24 hours a day, with operating costs of about 1½ cents per passenger mile. All of it can be built in Ontario now, except for the computer system. If demand increased, this could be developed in Canada also. Because the cars are very light in weight they can be moved off the track easily by two men using a wrench, if the need should arise. In a subway, one immobilized coach puts the whole system out of commission.

Because the Instaglide system cuts headway to one minute, about 300 cars can operate on a five-mile, two-way line. Because Instaglide is so flexible it can provide stations at or in highrise apartments, at or in commercial centres, in fact, whever passenger density exists. The capital costs are relatively very low.

I recorded at that time the various features that had impressed me and I pointed out to the minister that one of my constituents who is a partner in this company had been trying for several months to reach someone in the federal government interested in transportation. Finally he was told that his only hope was to get a consulting firm to make a presentation and arrange contact for him. The consulting firm to which he was directed told him that it would need $25,000 to do this. He had slightly more success in Ontario, having reached various members of the ministry, but unfortunately, since the middle of October he hadn't been able to reach anyone who could arrange for the inventor to make a presentation to the minister.

It was at that point that I came into the picture and was able to arrange a meeting with the then minister. However, the then minister had to leave the meeting early and it was agreed that the officials would go and look at this device in about six weeks time.

About six months later I found out that nothing had happened. I drew it to the attention of the then minister and he was also very surprised that nothing further had been done. In November, 1973, about six months after the proposed visit, I received another letter from my constituent, who said in part:

> In October, 1972, I spoke with officials of the Ontario Ministry of Transportation and Communications regarding the installation of Instaglide on the CNE grounds. At that time, I informed the Ontario ministry people that we had people in Toronto who would put up the money to build two miles of Instaglide on the CNE grounds. We would be responsible for taking the transit system down as well as putting it up. At the time, we felt we could charge a fee to the people riding the system and thereby recoup the money invested.
>
> This system would have given the public a chance to try out the transit system, and yet there would have been no burden whatsoever to the taxpayers. As usual, I heard no more, although I was told that the government was not in the habit of buying ideas from individuals and then promoting them on to the market. I am sure you can understand my astonishment when I learned that Premier Davis not only bought a system from Germany with intentions to manufacture the system from a government level, but also gave the Krauss-Maffei company $16 million to do what we proposed to do for nothing.

That's really the point I want to drive home, Mr. Speaker. This other option was available. At that time, for reasons that I have not yet been able to fathom, this offer was ignored and the other one, the disastrous one, was pursued. I think that is all I will say at this time, because I know that our present minister is aware of the situation now and he is going to give it consideration. This is all that anyone can ask, that it be given a fair consideration. Then if it lives up to the merits that are claimed for it, then, of course, we should take advantage of it. Thank you.

Mr. Speaker: The member for St. George.

Mrs. Campbell: Mr. Speaker, I did not really intend to involve myself in this debate. I felt that there were others far more capable in the field of transportation than I was. However, I listened with a great deal of interest to the remarks of the member for Scarborough Centre. I would like to say at the outset that I have never heard him make so fine a speech as he did today, and I congratulate him on it. However, I must point out that there are certain matters which were—

Mr. Deans: It doesn't say much for his previous efforts, does it?

Mr. Drea: Take 'em when you get 'em.

Mrs. Campbell: That was not intended to be derogatory in any sense, Mr. Speaker. I meant what I said.

Mr. Deans: Well, neither was mine.

Mrs. Campbell: However, there are some things to which he made reference, which I am afraid I couldn't allow to slip by. He spoke about the subsidies paid by this government to municipalities and, of course, he is correct. This government does grant subsidies in the area of municipal transportation.

Mr. Good: Finally.

Mrs. Campbell: May I say that for many years, as a member of the council of the city of Toronto, we begged for assistance which we could not get. Actually, it was only when it was finally brought home in a compelling way that the people of Toronto could no longer stay in the position of making all of their assets available for free to Metropolitan Toronto that we began to see a development in the subsidy field. It is interesting in relation to this that this government, with all of its great concerns, took all of the steps it could to try to make Toronto pay in order to protect the fare structure of metropolitan transportation.

May I say that it was this government which, despite the protests of the people of Toronto, decided to exempt from assessment for taxation much of the transportation property in the city of Toronto. Of course, when you do that you cannot expect that you won't have to subsidize the transportation system in some other form. I think we have to keep that in mind when we consider the careful address of the member of Scarborough Centre.

Mr. Speaker, the municipalities over the years were the ones to give leadership in the development of transportation systems. I don't think I need to go into the history of the way in which Toronto developed its system, but of course, the TTC of the day could not be expected to expand through its fare structure as rapidly as the requirements of Metropolitan Toronto demanded, which was what the TTC's plans indicated originally and the way in which we developed the first subway system in Toronto.

It was required to expand at a rate that they had not been able to provide for. This again points out something, or ought to point out something, to thoughtful members of the government, in the lack of bringing the municipalities along with them in the planning of transportation or any other system. This government has continually made decisions in these areas and revoked them. It has continually made policy without involving the municipalities so, of course, if it's asked to subsidize there isn't anything else it can do, if it expects the municipality to carry through with the obligations imposed upon it by the decisions of this government.

In reference to Krauss-Maffei I think all that can usefully be said has been said. The only thing that bothers me is that even at the end, or what appears to us to be the end, the minister was still talking about such things as the breakdown being something like a bad fuse or a flat tire. I could have wished, and I have spoken to him about it, that he had been a little more frank earlier than he was. However, he had to bear a burden which was not really his to bear.

I have congratulated him on the way in which he dealt with a very difficult situation, but it doesn't absolve the government from a lack of concern for the people of this province in developing the necessary modes in order to help them to cope with problems which have been largely due to the lack of foresight in planning or the lack of implementing plans which have already been made.

Mr. Speaker, I join with the rest of my colleagues on this side of the House in supporting the motion. I trust that something will be said by the minister which will be enlightening to us, because at the moment I can only say that this has been a dismal failure and, like my leader, it isn't a day for us to gloat. Thank you.

Mr. Deans: Mr. Speaker, I think there is a minute left.

Mr. Speaker: The member for Peel South asked for three minutes.

Mr. Deans: Oh, then he will have to wait his turn.

Mr. Speaker: We will give him one minute.

Mr. Deans: Can I have one minute too? I will split the three minutes— 1½ minute each.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I just want to make a brief comment and at a later date perhaps I can speak more fully on transportation. I simply have to ask members to reject this motion for the simple reason that it was stated at one point in time all the eggs weren't in one basket. I want to put some statistics on the record. For Metro since 1972 this government has given about $30 million toward transit deficit.

Mr. Foulds: Whoopee!

Mr. Kennedy: Capital: subway, $50 million; buses, over $12 million— and $1.42 million of that went into Mississauga.

Mr. Foulds: Money can't buy votes.

Mr. Kennedy: GO Transit, over $37 million. Mr. Speaker, in the whole operation of transit in this area, there has been no assistance from Ottawa except when they finally came to life and found there was a need and aided with the line to Richmond Hill.

Now, I know the minister wants some time to wind up—

Mr. Speaker: Yes, I think we should get the minister on now.

Mr. Kennedy: I won't say more at this time, but I would urge members to join with us and reject that narrowly focused non-confidence motion, because it doesn't warrant the effort that has been put forward in dealing with it this afternoon, in the light of the work that this government has done in the area of transit assistance.

Mr. Speaker: The hon. minister.

Hon. Mr. Rhodes: Mr. Speaker, I have listened with a great deal of interest to many of the remarks and comments that have been made since the start of this debate some 2½ to three hours ago. I must say that some of it was most interesting to hear, but I think the part that probably intrigued me the most caused me at one time to pick up the order paper to see exactly what the notice of motion was. I thought perhaps I had misread it originally, because the notice of motion itself I had interpreted as dealing with the transportation policy of the government of Ontario, when in fact that is not what has been talked about here at all this afternoon.

Mr. J. A. Renwick (Riverdale): Yes, it was.

Hon. Mr. Rhodes: All afternoon I have heard speaker after speaker get up and tell me about the fallacy of the Krauss-Maffei contract and the fallacy of attempting to develop this new technology—although I noticed a distinct turn around on the part of the hon. Leader of the Opposition and just recently the hon. member for St. George, by saying we are not here to chortle—

Hon. G. A. Kerr (Solicitor General): Where are they?

Hon. Mr. Rhodes: They are not here to chortle today because they read in the paper that maybe it wasn't such a good thing for them to be laughing at what in fact was a very unfortunate situation, that we were not able to continue on to develop this technology. I think they found out that maybe that wasn't exactly the right thing to do, that it wasn't a funny thing that had happened to us here. It wasn't funny at all.

Mr. Foulds: Incompetence is never funny.

Hon. Mr. Rhodes: It was a very, very serious thing.

Let me say too that the leader of the NDP said in his opening remarks that he had made contacts with people in West Germany and had discussed with them some of the reasons for the withdrawal of support from the Krauss-Maffei project. Well, let me say at the outset that I was not a party to these conversations, obviously, and I was not able to discuss with—or even talk to—the same people as the hon. member did—

Mr. Lewis: I wasn't a part of the minister's conversations with Dr. Finke, but I took him at his word.

Hon. Mr. Rhodes: I don't doubt the member's word. So I cannot comment on what was said to him; nor can he comment on what was said to me.

However, I can only relate to this House and answer questions about those things which I have some knowledge of. I can only relate what I was told in my conversations, just as the hon. member has done. At no time was it suggested to me that there had been anything other than a very preliminary study made as to the capabilities of the Krauss-Maffei magnetic levitation system as it would apply to GO-Urban.

Mr. Lewis: The ministry has been working on it for two years.

Hon. Mr. Rhodes: This is all I was told when I spoke to the West German people, when I asked them for their reasons for withdrawing their support of this particular project. And I'll point out that in my conversations with Dr. Finke, who is the man I spoke to, and who I think is a deputy minister—the secretary of state referred to is an elected member of the House; he's a politician.

Mr. Lewis: No. The Secretary of State ranks as a deputy minister.

Hon. Mr. Rhodes: Well, there are two, then. There is one who is and one who isn't. I don't know which one the member spoke to by name but one of the secretaries of state is an elected member and the other is not.

Anyway, when I spoke to Dr. Finke, one of the things that he said to me was: "We

want to withdraw from this sort of technology. We are going to continue with the Transrapid." And he also said to me that he wasn't willing to pay for the protection of the environment or a reduction of noise and vibration. He also said that he wasn't prepared to pay for a lower land consumption. These are the things that he said to me.

Mr. Givens: A lower what?

Hon. Mr. Rhodes: A lower land consumption, or a lower use of land in the development of any type of urban transportation system. In economic comparisons, I did not attempt to mislead the House at all at any time, despite the inference made by the member for Scarborough West at the very beginning that there were things that I knew that I didn't tell the House.

Mr. Lewis: I didn't say the minister misled the House.

Hon. Mr. Rhodes: That's not correct.

Mr. Renwick: He didn't say the minister misled the House.

Hon. Mr. Rhodes: And I think Hansard will show that; I really do.

Mr. Lewis: I don't think the minister understood.

Hon. Mr. Rhodes: But what was said to me was: "We don't think it's economically feasible to apply this into municipalities of 50,000 people." Well, we had never even considered putting this into areas of 50,000 people. Never even considered it.

Mr. Foulds: Then why did the government rush into it?

Mr. Lewis: They weren't developing it for areas of that size?

Mr. Speaker: Order please; this is not a conversation. The minister has the floor.

Interjections by hon. members.

Hon. Mr. Rhodes: These were not compared with such applications in other cities in North America. I think it's understandable that this government's policy on transportation is what really has to be looked at here.

Mr. Lewis: He didn't pour it in—

Hon. Mr. Rhodes: It's not the question of the Krauss-Maffei system.

Mr. Lewis: That is the policy.

Hon. Mr. Rhodes: The policies of transportation for the Province of Ontario that are being developed by this government are so far ahead of any policy developed by any other jurisdiction in North America that there is no question in my mind that they are deserving of support.

Interjections by hon. members.

Mr. Lewis: Ask the people in northwest Metro.

Hon. Mr. Rhodes: What this government has done is face up to the fact that there is a need in all of our municipalities for urban transit, and that there is a need for the type of modes that can move people around our large cities. That's why we were looking at new technology.

Mr. Lewis: That's right.

Hon. Mr. Rhodes: At no time has it ever shoved to one side the idea of developing the light rail programme—not at all.

Mr. Lewis: Oh yes it has.

Mr. Cassidy: Oh, definitely.

Mr. Speaker: Order, please.

Hon. Mr. Rhodes: Since 1967, this province has developed commuter rail services, when every other North American city was wiping them out; every other North American city.

Mr. Cassidy: That is not true, either.

Hon. Mr. Rhodes: We carried on with developing the GO system. Where do the members opposite think it started? When did the GO Transit system start? In 1967, it started; and that has been developed and increased.

Mr. Cassidy: That is not true either.

Hon. Mr. Rhodes: You can look at the GO services that have been developed and increased in this area, and they certainly have proven their worth more than once.

Mr. Cassidy: I agree.

Hon. Mr. Rhodes: We are continuing with the programme to develop light rail.

Mr. Renwick: Nobody disagrees with that.

Hon. Mr. Rhodes: The Ministry of Transportation and Communications—

Mr. Cassidy: The minister has only just begun that.

Hon. Mr. Rhodes: —and the Ontario Transit Development Corp. has been carrying on continually looking at the development of light rail.

Mr. Lewis This has just started.

Mr. Cassidy: It has just begun.

Hon. Mr. Rhodes: It has not just begun; it has been carried on all the way along.

Interjections by hon. members.

Mr. Speaker: Order.

Hon. Mr. Rhodes: There is no question about it. To say that we have given up all the other modes is just factually not true.

Mr. Lewis: We didn't say that.

Hon. Mr. Rhodes: It is not true.

Mr. Renwick: The GO Transit system is 'way behind, and he knows it.

Hon. Mr. Rhodes: To say that we have fallen behind over the last years is not true, and we are not—

Mr. Lewis: It is right. Look at—

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Rhodes: Let's keep in mind, we are talking about a transportation policy that applies across this whole province.

Mr. Lewis: That is right.

Hon. Mr. Rhodes: Policies have been developed to assist municipalities to increase their transit use. How can this possibly be faulted? Take my own community, which was referred to by the member for York-Forest Hill.

Mr. Renwick: The handing out of money is not the way to establish a policy.

Mr. Speaker: Order please.

Hon. Mr. Rhodes: In my community transit usage has increased by 30 per cent. What brought that about? And that's only one community. You could name others in this province. What brought it about? It was brought about because of the financial aid that was being supplied by this province to improve transit aid. They could buy new equipment—

Mr. Renwick: That is right; that is not a policy.

Hon. Mr. Rhodes: —they could increase the frequencies; they could provide a much better transit system throughout this province.

Mr. Cassidy: And the minister has just about driven transit into the ground.

Interjections by hon. members.

Hon. Mr. Rhodes: There isn't only one area we have got to be concerned about; and we are concerned about Metropolitan Toronto. But whose responsibility is it to develop the plans—whose responsibility? It is not the province's responsibility – and the members opposite recognize that.

Mr. Cassidy: We've done that for years in Ottawa.

Mr. Lewis: The government didn't think that two years ago.

Mr. Renwick: It is always the municipality—

Mr. Speaker: Order. All the members have had an opportunity to speak and they should not be interfering with the minister's valuable time. The hon. minister.

Interjections by hon. members.

Hon. Mr. Rhodes: It would be interesting to note, if at any time there should happen to be a straw vote among all the members of this Legislature—and I say all of them—as to who is for and who is against Spadina.

Mr. Lewis: But this government stopped it.

Hon. Mr. Rhodes: The members opposite don't know. They are not sure.

Mr. Speaker: Order please.

Mr. Lewis: This government stopped it.

Hon. A. Grossman (Provincial Secretary for Resource Development): And the NDP supported it.

Mr. Speaker: Order please.

Hon. Mr. Rhodes: What's going on in the Spadina corridor right now?

Mr. Givens: Is that what changed the minister into a Conservative?

Hon. Mr. Rhodes: Already contracts have been called to build a subway, the Spadina subway. This was available in 1972.

Mr. Renwick: Already called? How many years ago was that?

Hon. Mr. Rhodes: In 1972 it was available. It went through all kinds of hearings—the OMB hearing, the disputes between Metro and the city—

Mr. Lewis: The government set it back three years. That is right.

Hon. Mr. Rhodes: —and they are still arguing about where the station locations could be. Do members want us to step in and say: "Never mind all of this public participation at OMB hearings. We are going to jam it down your throat anyway."

Interjections by hon. members.

Hon. Mr. Rhodes: Who picked the corridors? Someone referred a little earlier to the fact that the Premier forced certain routes on people in November, 1972, when he made his announcement. Someone held up a map. I think it was the member for Downsview. Let me quote exactly what was said: "Our planners have identified five possible routes in which the municipality of Metropolitan Toronto and the TTC may want to consider application of the new mode." Nobody jammed it down anybody's throat.

Interjections by hon. members.

Hon. Mr. Rhodes: They said. "If you are interested, there is a new mode." There is nothing at all wrong in any policy to develop a new mode.

Mr. Cassidy: But the PR made it look as though the lines were almost installed.

An hon. member: Throw him out.

Hon. Mr. Rhodes: Mr. Speaker, I sat through the speeches by the hon. leader of the New Democratic Party, the hon. Leader of the Opposition, the hon. member for York-Forest Hill and the hon. member for Ottawa Centre, east, west, north or south.

Interjections by hon. members.

Hon. Mr. Rhodes: I did not interrupt and I respectfully request that the same courtesy be extended to me.

Interjections by hon. members.

Hon. Mr. Rhodes: Mr. Speaker, I think there have been four main themes brought here. One was that we have wasted time and that we have lost time developing alternative programmes.

Mr. Cassidy: He can't stand the heat.

Hon. Mr. Grossman: What does the member mean by "He can't stand the heat"?

Hon. Mr. Rhodes: Mr. Speaker, the only heat that would come from there would be the continuous hot breath that comes flowing out of the member for Ottawa Centre, word after word, hour after hour.

Hon. Mr. Grossman: He is not even in the kitchen. He never gets into it. He is still in the bathroom.

Hon. Mr. Rhodes: We have not delayed anything. There is not a mile of track that hasn't been laid; there is not a mile of subway that hasn't been built; there is not a transit system anywhere in this province that has not received the okay and the approval and the financial assistance from this province, when any municipality anywhere in this province asked for it. To say that we are responsible for delaying for two years is just so much malarkey. It just isn't true.

Mr. Cassidy: Five years.

Hon. Mr. Rhodes: Any time any borough in Metropolitan Toronto wanted assistance to put in any type of transit it wanted, it was more than welcome to do so with our full support and subsidy.

Mr. Lewis: Oh, come on!

Mr. Cassidy: Oh, no!

Hon. Mr. Rhodes: It is being suggested that we should stop the subsidy that we are now providing. It is being suggested that we should go back to the horse and buggy days referred to by the minister for Downsview.

Mr. R. F. Nixon: He is going to be minister next year.

Hon. Mr. Rhodes: The member for Downsview. He suggested that all of this was being done out of the pockets of the taxpayers of Metropolitan Toronto. One can't go back to that time and the hon. member for York-Forest Hill well knows it too. The subsidy programmes being provided by this province are the best anywhere in Canada and I suggest perhaps better than most states of the United States to get transit going.

Mr. Good: The minister missed the whole point of the argument.

Hon. Mr. Rhodes: The whole point was that members opposite were all roaring and ranting about Krauss-Maffei when really it's a matter of transportation policy.

Mr. R. F. Nixon: The minister should be humble. He is in a mess.

Hon. Mr. Rhodes: Mr. Speaker, I have heard a lot said this afternoon about the application of light rail, that light rail is the answer, the wheel on the rail.

Mr. Lewis: That's right.

Hon. Mr. Rhodes: All right, fine. There is no question in our minds that that can be provided.

Mr. Lewis: That's right.

Hon. Mr. Rhodes: What we were looking for was something that perhaps would be a little more environmentally acceptable—

Mr. Lewis: The government was looking for a political stunt.

Hon. Mr. Rhodes: —that would make less noise, that would provide something different and unique.

I recall one remark the hon. member for Scarborough West made to me. He said: "Orville, it won't fly." Somebody told Orville that one day too; and by God he flew it anyway and it is still flying.

Mr. Lewis: The minister will announce its cancellation again 20 days from now.

Hon. Mr. Rhodes: I read recently in the paper that someone said the hon. member had a relative back in time who objected to the wheel. I read that in the Globe this morning. I thought I would pass that along.

Mr. Foulds: If this had wheels, it might just roll.

Hon. Mr. Rhodes: Mr. Speaker, I have said before and I say again that we know there are corridors, in the Scarborough area, for example. I wish the hon. member who represents part of that would tell us what he wants.

Mr. Lewis: They wanted light rail and the government stalled it with a two-year study on GO-Urban.

Hon. Mr. Rhodes: If he wants light rail, then we can put light rail in and we can have a revenue system operating in that corridor in Scarborough in the same timeframe as they would have had the GO-Urban. It can be there. We know we can put it in there. Physically we can put that in and it can be put in financially.

Mr. Cassidy: They could have had it three years ago.

Hon. Mr. Rhodes: It can be done. All we need is to have it asked for by the municipality. If they say put it in, we go ahead and we finance putting it in. But we have not had that reaction; certainly not from the borough of Scarborough.

I was surprised that the mayor of Scarborough has finally said he thinks maybe light rail might be all right after all. That's great. We will be glad to go along with that, but that's a complete turnabout. We will go ahead and support that and they can have it in within the same time. Tell me where we lost our time, if we can put in an intermediate capacity system, albeit light rail, within the same timeframe that they would have had GO-Urban? Where have we lost the time?

Mr. Lewis: It is needed now.

Hon. Mr. Rhodes: I have not heard a policy on transit for this province brought forth from either of the opposition parties, not one.

An hon. member: And he never will.

Hon. Mr. Rhodes: Not one policy has been brought forth; not one.

Hon. Mr. Grossman: They want expressways.

Hon. Mr. Rhodes: The policies that have been brough forth by the Province of Ontario are the policies that are providing increasing use of transit across this province; in every municipality, not only in Metropolitan Toronto but in Ottawa. Some of the policies of the government have been applied in Ottawa—the new busing system, the dial-a-buses are very successful there, the staggered hours that were instigated as part of that thing; it is all working in Ottawa today.

Mr. Cassidy: Sure, it is working beautifully.

Hon. Mr. Rhodes: Look, we are the first ones to say that dial-a-bus in Metropolitan Toronto as an experiment did not succeed. We admitted that a long time ago, but it is working in Ottawa and it is working in other centres. The whole world is not here. We have to look beyond Metropolitan Toronto, and that's what we are doing.

Mr. Lewis: That's right, and it was distortion here that affected the province.

Hon. Mr. Rhodes: I completely disagree.

Mr. Cassidy: And the centrepiece of his policy is in tatters.

Mr. Speaker: Order please.

Hon. Mr. Rhodes: The need for intermediate, environmentally sensitive transit still exists and that has been our goal all along.

Mr. Lewis: Light rail is a good answer.

Hon. Mr. Rhodes: And if light rail can be applied, then we are prepared to do that, because we have the technology. We don't need anything new. We don't need anything new at all. A municipality that has—

Interjections by hon. members.

Mr. Speaker: Order please. I have asked the hon. members to refrain from too many interjections. They are continuing to do so. Now I ask once more. The hon. minister has just a few more minutes to go.

Hon. Mr. Rhodes: Mr. Speaker, the member for—

Mr. Cassidy: It doesn't stop the minister seeking support from his people.

Some hon. members: Throw him out.

Mr. Speaker: Order. I hereby name the member for Ottawa Centre. Will he please leave? The hon. minister has two minutes.

Mr. R. F. Nixon: He has just provoked the Speaker. He had to be thrown out.

Mr. Lawlor: Sure makes an impact on this House.

Mr. R. F. Nixon: Now let's hear these pearls.

Hon. Mr. Rhodes: Mr. Speaker, there is no transit programme that has been delayed in this area or anywhere in this province because of GO-Urban. I can point out, to members the things that I mentioned a little earlier, such as the extension of our GO-Transit system, the planning that is going on now for the increased capacity and the capability of that.

I cannot accept at all that criticism, and I don't think the people of this province are going to buy it either. The Metro Toronto plan review has not even been completed as yet, so how are we supposed to be able to go ahead and put in all these transit facilities when we really don't know what the Metropolitan Toronto area wants as yet?

There is no way members can accuse us of delaying the transit systems in this province; no way at all. I know there are several members opposite who would like nothing better than to see us start building Spadina, but they have only backed up the building of Spadina for their own political reasons in their own particular little ridings—

Mr. R. F. Nixon: Narrow political reasons.

Hon. Mr. Rhodes: —with no consideration for the rest of Metropolitan Toronto at all. Do they want Spadina? Would they also support the Scarborough Expressway? How many other expressways would they support throughout the province? How many others?

It is obvious to us that they really don't want to take a stand on anything but that which is purely political in their own ridings. They accused us of being political, and it is a beautiful thing to watch. Politics all over the place has been pretty obvious, and especially I think from the Leader of the Opposition, who found it such a joy when we announced here earlier that we had to discontinue with our TDS. I don't think it was really a joyful day for him at all, any more than it was for us.

Mr. R. F. Nixon: It was a great victory for the minister.

Hon. Mr. Rhodes: But I think he has enjoyed it.

Mr. Lewis: Come on now, name him. On a point of order, Mr. Speaker, if you are going to employ the rules fairly you should eject the leader of the official opposition.

Mr. Renwick: Stop playing favourites.

Interjections by hon. members.

Mr. Speaker: I am sure the hon. member doesn't mean that.

Mr. Lewis: Stop being so hypocritical about it.

Interjections by hon. members.

Mr. Speaker: This concludes the debate on this particular order.

The House divided on the Lewis's motion, which was negatived on the following vote:

Ayes	Nays
Braithwaite	Allan
Breithaupt	Apps
Bullbrook	Beckett
Burr	Belanger
Campbell	Bennett
Davison	Birch
Deacon	Carruthers
Deans	Clement
Dukszta	Downer
Edighoffer	Drea

Ayes	Nays	Nays
Foulds	Eaton	Wardle
Gaunt	Evans	Wells
Germa	Ewen	Winkler
Gisborn	Gilbertson	Wiseman
Givens	Grossman	Yaremko—56.
Good	Hamilton	
Haggerty	Handleman	
Lawlor	Henderson	
Lewis	Hodgson (Victoria-Haliburton)	
Martel	Hodgson (York North)	
Newman (Windsor-Walkerville)	Irvine	
Nixon (Brant)	Johnston	
Reid	Kennedy	
Renwick	Kerr	
Roy	Lane	
Ruston	Leluk	
Samis	MacBeth	
Sargent	McIlveen	
Singer	McKeough	
Smith (Nipissing)	McNeil	
Spence	Meen	
Stokes	Miller	
Taylor (Carleton East)	Morningstar	
Worton	Morrow	
Young—35.	Newman (Ontario South)	
	Nixon (Dovercourt)	
	Nuttall	
	Parrott	
	Potter	
	Rhodes	
	Rollins	
	Root	
	Scrivener	
	Smith (Hamilton Mountain)	
	Snow	
	Stewart	
	Taylor (Prince Edward-Lennox)	
	Timbrell	
	Turner	
	Villeneuve	
	Walker	

Clerk of the House: Mr. Speaker, the "ayes" are 35; the "nays" 56.

Mr. Speaker: I declare the motion lost.

Order please, just before we rise I'd like to make a comment on the incident that happened a few moments ago. A very reasonable request has been made to Mr. Speaker that perhaps I may have been a little hasty. Be that as it may—

Some hon. members: No, you were not.

Mr. Speaker: Order please.

Mr. J. E. Stokes (Thunder Bay): Throw them all out.

Mr. Speaker: I think I have made the point that when Mr. Speaker calls for order, it should be order, and the interjections should stop when that request has been made.

I am prepared on this occasion to relent. Even though the orders say the named person shall be out for the rest of the sitting, which means the rest of the day, I am prepared to allow the hon. member for Ottawa Centre to return to his seat when we return after 8 o'clock, because I understand he has a particular interest in certain of the legislation which will be discussed.

But I would just like to remind everyone that this is not to be a precedent. I think that in strength, when a person has the authority along with responsibilities, he can afford to be generous for once. So if the hon. House leader or the hon. leader of his party will convey the message to the member, he may return at 8 o'clock.

Some hon. members: Well done.

It being 6:10 o'clock, p.m., the House took recess.

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No. 129



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Tuesday, November 19, 1974

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8:00 o'clock, p.m.

HEALTH INSURANCE ACT

Mr. Walker, in the absence of Hon. Mr. Miller, moves second reading of Bill 145, An Act to ament the Health Insurance Act 1972.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it's a pleasure to join in the debate on this bill this evening. Now that it has not only been introduced in accordance with the rules of the House but also has been printed and appears properly in the order paper, we're able to go ahead.

There are few comments that I would like to make with respect to this bill. There are several things which are somewhat general to the bill that I think are worthy of comment and I would appreciate hearing the parliamentary assistant's (Mr. Walker) comment after debate has been completed by those of us who wish to join in on second reading.

It is interesting to note in the first section that they are now amending some of the duties with respect to the general manager to allow that general manager to either accept or refuse payment of certain amounts claimed. Further than that, Mr. Speaker, we are also setting forward some provisions of appeal from that decision so that the decision made by the general manager could possibly be appealed and reviewed by a further authority pursuant to this Act.

It is interesting to note that the general manager's decisions, of course, are basically based on the matters put forward by the medical review committee or, indeed, under this practitioner review committee that is referred to in this Act. If the general manager, however, decides that certain payments are not acceptable, presumably the next stage then comes into force, which is a decision made by the appeal board or eventually through the usual appeal procedures to the courts of the province. It's rather interesting to us to note that this kind of procedure has apparently not been available to the general manager in the years in which the Health Insurance Act has been in force in the province.

I would appreciate hearing from the parliamentary assistant as to why he presumes it is necessary at this point to bring in this kind of an approach, when one might have thought that the ordinary decision-making and administrative powers of the general manager would have included this kind of ability to sit, at least to some degree, in judgement on the value and, indeed, on the propriety of the kinds of claims that were submitted to him for approval.

We are pleased to see that the matters that might be dealt with by the appeal board are of course, subject to the eventual approval of the court, if that is required. Surely in this kind of a thing, where public moneys are being dealt with, the individual practitioner, as is the case here should have the opportunity to make his points clearly and perhaps have them dealt with by some appeal tribunal within the ministry. To have, however, the additional ultimate benefit or requirement to go forward into the judicial procedure is, I think, a reasonable safeguard once the matter has been hopefully resolved, as it will be in most cases, at the appeal board level.

I would as I have said, appreciate hearing from the parliamentary assistant as to why the manager has not had these powers in the past, as one might have thought they would have existed, through his normal administrative duties as he was carrying out the responsibilities which he had.

Under section 4, Mr. Speaker, we note that the making of regulations once again rears its head so that the Lieutenant Governor in Council—in effect, the members of the cabinet —can make certain decisions and make certain regulations which will allow for matters, particularly in this case, allowing the prescribing of amounts payable by the plan for various insured services.

As members will recall, we have made comments on certain occasions which have suggested that any of the changes based upon the matters under control of the Health Insur-

ance Plan and any of the changes dealing with increase or even possibly decrease of rates of payment should, of course, be justified before the House. It is our view that this kind of justification might best be dealt with through the use of one of the standing committees of the Legislature. If that were the case, then many of these changes, and the justification for these changes, would receive the kind of publicity that we think is worthwhile, and that should be available to the public when we are discussing these kinds of situations.

In this case, Mr. Speaker, the government has decided that these kinds of changes should receive the benefit of the review by Her Honour in Council, and while we think that that is not a sufficient or, indeed, an all-inclusive and well-publicized role, we accept the point that at least that kind of a review is anticipated by the ministry.

These appear to be the only two items that are of importance within the matters brought forward by Bill 145. We think the function of the appeal, the appeal board and the eventual removal to the courts, if necessary, is worthwhile. We would have some reservations with respect to the matter of regulation by the Lieutenant Governor in Council, because our view is that it should be dealt with in a somewhat different fashion.

However, receiving these comments, I hope that the parliamentary assistant will respond to them as we complete the second reading of this bill, and I hope that we will be able to hear from him as to the points which I have raised and why these matters perhaps have not been attended to earlier in the development of the Health Insurance Act.

Mr. Speaker: The member for Parkdale.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I was going to make the same point as the member for Kitchener made, so I won't repeat it. The only thing I would like to add is that though I like the idea of a practitioner of a discipline having some input into it, I would much prefer and I would suggest that most stringent power should be granted to the general manager. On the other hand, the fact that the people can appeal is according to the McRuer rules, and I think that's all for the better. So we shall support the bill. I have nothing more to say.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. parliamentary assistant.

An hon. member: Is the NDP supporting a Tory bill?

Mr. G. W. Walker (London North): Mr. Speaker, the member for Kitchener has raised some points relating to section one of the Act, which makes amendments to section 22. The problem there is rather specialized. It's a rather peculiar problem that will involve a rather complicated explanation, if the members will just bear with me on it.

By section 22 of the Act, the general manager is, of course, obliged to carry out the decision of the medical review committee. The operative words are "shall accept the recommendation of the medical review committee and act upon it."

A problem has arisen in that when an appeal is taken, the common law indicates that all proceeding action must be stayed. This therefore meant that the previous action was to be stayed, because under the legislation relating to health insurance, the physician is entitled to receive his appropriate billable amount. Therefore, it has been construed legally that the general manager would have to stay the action under an appeal situation and, therefore, pay the full amount owing. During the appeal process, that money would then be in the hands of the physician or whoever was receiving the benefits, if it were a chiropractor or otherwise. And as long as the appeal was in process, that person would have the money. Once the appeal was decided, if it were decided in favour of, let us say, the recommendations of the medical review committee, then we would be obliged to attempt to recover the money from the individual.

In the past that has worked. However, there have been two real problems there. There is one chap aged in excess of 80 years whose assessment is well over $100,000, and that person has phased out of practice. Now, we have to recover $100,000 from him. I am not really sure; we may be recovering it from his estate.

Mr. Breithaupt: He probably has a very substantial one.

Mr. Walker: At that point in time, yes.

Second, there is the whole question of interest. There is one party with whom $100,000 is in contest. The medical review committee have determined a certain fixed amount; that particular award amount was 50 per cent. There is $100,000 that is owing to him. If that person were to receive the $100,000 then the case would continue on and on and on, perhaps for two years; and we would lose about $1,000 a month interest. We might just as well pay it at that point; when we start to lose some money.

In effect, this brings back into the power of the general manager the responsibility of following the medical review committee's recommendation. The medical review committee is a committee, of course, of the peers of that individual. The medical review committee is made up of six physicians and two lay people. Those people sit in judgement on the amount and say, "You should pay [let us say in this case] 62 per cent." The general manager would then pay the 62 per cent. It would be the balance, 38 per cent, which would be in question and which would not be paid.

So this brings into check the responsibility of the general manager, which in the past has been somewhat questionable as to whether or not he should follow the recommendation of the medical review committee. This removes the common-law right of an individual to have the action stayed and restores the balance of power, if I can call it that. A good many appeals are occurring.

With respect to section 4, this amendment is strictly a housekeeping matter and really a reference question. It was the wording that was requested by the legislative counsel in an attempt to tidy up the Act and to give the proper authority—and that is the referral authority—legislation by regulation through referral and nothing more than that.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion:

Bill 145, An Act to amend the Health Insurance Act.

PUBLIC HEALTH ACT

Mr. Walker, on behalf of Hon. Mr. Miller, moves second reading of Bill 146, An Act to amend the Public Health Act.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, there are just a couple of comments that I have to make with respect to these amendments to the Public Health Act.

As in the previous bill, there are certain housekeeping amendments which are of course necessary as the years go on. I think that it is worthwhile to make some comments with respect to section 1, because it gives to the average public health inspector or other persons under this Act certain rather strange and involved powers. In this case, the order of a provincial judge can be made to allow such an inspector or one of the other persons with these responsibilities to enter into a premises presumably where there is reasonable ground for believing that it is certainly necessary for the administration of this Act to allow this person to carry on the responsibilities of his or her office.

I think it's important, when we look at this kind of an involvement, to realize that later in the section it also gives the responsibility for the availability basically to have the provincial judge make an order which would also involve a police officer or officers in order to assist that person to carry out the responsibilities of his or her office. Surely we have the background within our law which would require reasonable and probable grounds to exist for the attempt to obtain this order and for the exercising of it.

I would appreciate hearing from the parliamentary assistant as to the background and reasons why this kind of procedure is thought to be necessary. It is clear to all of us, I think, that there are occasions upon which this kind of an entry and this kind of an involvement are going to be in the best interests of all concerned. But I do feel that if the administration of the Act is such that we require the order of a provincial judge, and the assistance of the police authorities, the rules for this kind of situation should be spelled out very clearly.

Presumably, under the Public Health Act, there are certain requirements relating to the average health inspector or, as he or she is defined in this Act: "An inspector, a public health inspector, medical officer of health, acting medical officer of health or associate medical officer of health." All have these particular abilities, and the authority of this section is available to them.

It is, of course, important to us all that they should be able to carry out the responsibilities of their position. It is also important to us all that they should be able to call upon the assistance of police authorities, if such should be the case, and the responsibility available to them from a provincial judge to allow them to carry on the duties which they have. If the grounds are reasonable and probable, then I think all is well.

Surely it is going to be a matter of discretion to the provincial judge for that per-

son to decide whether this kind of order should be given from time to time in order to make sure that certain of these duties are carried out. I would appreciate, though, hearing from the parliamentary secretary as to the background and reasons that have led to this section in the law.

If we look to the details of subsection 2 as it is set out here, we see that this kind of forced entry or this approved entry by the courts is going to allow the persons having this responsibility to: "Enter therein and thereon and make or require to be made such examinations, investigations and inquiries as may be necessary." And the Act goes on further to say: "To make, take and remove, or require to be made, taken or removed, such samples, copies or extracts as may be related to" —a great variety of things.

Surely we are giving a large and important responsibility, and one that may be entirely justified, to medical officers of health or their assistants or associates. We are, indeed, giving further responsibility to the courts to rule upon these matters and to require and encourage the assistance of a police authority if such things are necessary.

If they are necessary, then I believe we have a responsibility to support them. I would, though, like to find out the details as to why this kind of an approach is now thought to be necessary in dealing with the ordinary responsibilities of medical officers of health, their staff, assistants and associates.

When we look to section 3 we see it deals with the service of notices and section 4 deals with matters of hearings. The hearings at this point are within 15 days, and that surely seems to be a reasonable time in which the various sides of the situation can be prepared.

The examination of lodging houses, tenements and laundries by medical officers of health or other worthies under that kind of a responsibility, it would appear, are set out in section 6, which amends section 101. I think it is worthwhile that this kind of an amendment with respect to the time of entry, be made in the kind of society in which we now live. The section had earlier read that this kind of an involvement could take place at any time. It is surely an improvement upon the law that this kind of entry take place at a reasonable time. Surely to walk in either at, shall we say 8 o'clock in the evening or 4 o'clock in the morning, is not the kind of reasonable time that we can expect things to be in order, records to be available or the kind of procedures which may be taking place in these operations to be in their normal course of events.

I think it is worthwhile to make this change to a matter of reasonable time. It seems intelligent and I am pleased that the ministry has gone that far.

In section 8 we look to the inspection of various facilities, particularly those dealing with the development and operation of various sources of human food. This kind of operation and inspection, I think, should be readily available to medical officers of health and the other persons who assist and aid them in carrying out their responsibilities.

The service of notice with respect to any orders that are made and the particulars of appeal are again spelled out, and on this side of the House we think those kinds of terms appear to be reasonable to ensure that anyone involved with a complaint or an order made against an operation has an effectively acceptable period of time in which to respond.

The use of force, of course, is something which only comes before us in sections 9 and 10.

It's rather interesting to see that we should be in a position where we might require the use of force to obtain the kind of information, samples or general knowledge which members of the medical health authorities should require. We can only hope that kind of involvement would be used sparingly and that this kind of a situation which would require additional police assistance from the police authorities, and indeed an order of the court in the first place, would become the exception rather than the rule.

We think that these amendments are, Mr. Speaker, rather in the nature of housekeeping amendments. We are prepared to support them, based upon the comments that the parliamentary assistant may make as to their necessity.

Mr. Speaker: The hon. member for Parkdale.

Mr. Dukszta: Mr. Speaker, I am concerned, like anyone else, that neither the police nor inspectors should have extra rights in entering into any person's home or premises and so forth, but in certain cases we probably have gone too far in protecting the rights of the owners of certain premises, such as laundries and tenement houses. I approve of the decision here that inspectors should have a right to come in—if I understood correctly what you are trying to say in this Act—if necessary by force, and if necessary accom-

panied by a policeman to check premises which are inhabited by people and which are unfit in one way or another, or any type of a building in which there are people.

I hope the minister can reassure me under section 8, by provision of an appeal procedure to the health facilities appeal board, and then finally if necessary, to the Supreme Court, that in removing this power from the minister the government again acted in terms of providing some checks on what could become an arbitrary power of the inspector.

In that sense I have little to say about that. We shall support it, once the minister has answered this particular question, if he follows what I have been saying.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I only want to make a few comments concerning one section of the bill, and that is the principle involved in section 10. That is the service of orders and notices under this Act.

The minister, according to the legislation, does have an awful lot of confidence in the ability of the post office to deliver registered mail within five days. I don't think, Mr. Speaker, that the five-day period is sufficient, even though the Act may attempt to overcome the problem by including the words: "The service shall be deemed to have been made on the fifth day after the day of mailing unless the person to whom the order or notice is given establishes that he did not, acting in good faith, through absence, accident, illness or other cause beyond his control, receive the order or notice until a later date."

To resolve the problem and to make sure that it would be received, I would suggest to the hon. minister that he change the "five" to "10," and then we'd know that the registered mail would be received. Our own experiences, Mr. Speaker, are such that registered mail does not, at times, get to us as quickly as we would like to receive it. I think by a slight change in there, Mr. Speaker, this could be resolved.

Mr. P. G. Givens (York-Forest Hill): It's those federal Liberals.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Just briefly, Mr. Speaker, I confess that I just glanced at the Act as we got going on the bill, and it is indeed far-reaching and onerous. All I wish to know from the parliamentary assistant in this regard is how closely the minister sought to bring the wording in section 1 into congruity with McRuer. The present section 87(a), even as amended, is, I will agree, even more far-reaching, devastating and penetrating on civil liberties than this particular section. But surely two things should be embodied in that subsection 2. The first has to do with the fact that, when samples, copies or extracts are taken, a provision should be made for the photostatting thereof or for the duplicating and the delivery of the original back to the true owners within a reasonable time.

The second thing has to do with the business of utilization of police in this particular regard, in other words along the lines spelled out by the House leader for the Liberal Party; namely, some criteria are necessary to be written into this legislation as to reasonable grounds. Isn't the minister going to give any indication of that within the legislation itself? How is a provincial court judge to be able to determine this thing?

By the way, I don't think it should be a provincial court judge. He should either be a county or Supreme Court judge in matters so far-reaching with respect to entrance upon even private residences, as this particular bill sets forth.

Leaving that aside, the business of entry on and the grounds and criteria for doing so are not spelled out. To that extent I suspect that there are some deficiencies in this legislation which run in the teeth of the monumental tome and the bible for some of us with respect to these matters.

Mr. Speaker: Does any other hon. member wish to speak to this bill? If not, the hon. parliamentary assistant.

Mr. Walker: Mr. Speaker, the member for Lakeshore most recently, and the member for Kitchener, have raised questions relating to section 1 of the bill, which makes some amendments to section 2b(2) of the Act.

I should say that the Public Health Act, Mr. Speaker, is a bit of a patch job anyway, because it has been around since 1890 and it has been amended basically decade after decade. The ultimate result is some patching in an attempt to make most of the sections reconcile with others.

I think it is fair to say that at some point in time we would like to bring in a new Act that would take into account all the anomalies that appear within it. Most of the amend-

ments that we have placed before you this evening are corrections of anomalies or attempts to bring the Act into line with the McRuer recommendations.

As for the particular questions relating to subsection 2b(2) and the powers of a provincial court judge to allow the authority of the police, this merely is picking up on section 117 of the existing Act, which is repealed by section 9 of this particular bill. Section 117 is really out of whack when it's considered with McRuer's proposals, in that it allows the use of force without any reference to any judicial authority. McRuer's recommendation suggests that the use of force should be accompanied by judicial authority. This particular amendment in the first section of the bill does not significantly change the original section 2b(2) of the Act as it now stands. In fact all it really does is insert two lines into the centre of the existing section. Those two lines are about halfway through, where it says: "Together with such police officer or officers as he calls upon to assist him and if necessary by force."

Those are the only new words introduced into the existing section. The whole section is being replaced, but the wording is the same with the exception of those words I've just mentioned. It is then a reworking of section 117, which is repealed, as section 117 is considered to be improper in light of McRuer. The insistence that the police officer have some provincial judge's authority before he knocks down the door on the advice of some public health inspector is what is deemed appropriate in this particular circumstance.

The member for Parkdale raised questions concerning section 8 and the health facilities appeal board and the appeal provisions there. Section 8 basically removes the appeal to the minister that was previously there, and inserts in its place an appeal to the health facilities appeal body, which is deemed more appropriate; and from there, of course, one may go on to the courts. I think it introduces a new element and eliminates a discretion that presently exists with the minister and would certainly be in line with McRuer provisions.

On the question of the member for Windsor-Walkerville and the matter relating to a certain number of days deemed to be appropriate for service; of course at one point in time we could say one or two days. In fact I think in some of the Supreme Court rules of practice it indicates that two, three, four days after mailing registered mail is deemed to be appropriate service.

Mr. B. Newman: That was in the days of Wells Fargo.

Mr. Walker: That's right. Now since Wells Fargo has been replaced by the federal post office, we have had to insert an increased number of days to accommodate the occasional tardiness in service, even if it is by registered mail; it takes care of holidays and all kinds of other things.

The fifth day after the mailing or postmarking of the documents is considered to be reasonably appropriate in view of the fact that the type of notice served on a person would say that in so many days you will be required to do such and such; like, say, 10 or 15 days and so on.

So in effect there is more time beyond the time of receipt. It is not as if on the day he receives it he must go out and do something at that particular point in time. He is probably being required to attend on a—what is called a discovery, or something of that sort—to attend on a matter with the health facilities appeal board or whatever. So there is time at the other end of the five days.

The escape clause is invariably the one at the end, where if he can prove that he was away on holidays or sick or whatever; for some legitimate reason—and perhaps even the post office—he didn't receive it within the five-day period, then it is very easy for this matter to be appropriately waived and an extension of time given.

Mr. Givens: Make it seven days. Five days isn't enough, make it seven days.

Mr. Walker: Well, I must say I wouldn't be too upset by seven days.

Mr. Givens: Would the minister make it seven days?

Mr. Breithaupt: We will accept the amendment.

Mr. Walker: Yes, I will accept the amendment; seven days.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand there is supposed to be an amendment which means we will have to go to committee of the whole House. Am I right? Is that the understanding?

Mr. E. W. Martel (Sudbury East): He hasn't got the last instructions so don't embarrass him.

Mr. B. Newman: The minister will introduce an amendment then, will he?

Mr. Speaker: Yes, it can't be done on second reading. It will have to—

Mr. Walker: Or can I introduce it, Mr. Speaker, without going into committee?

Mr. Speaker: No, it has to go into committee for that.

Mr. Breithaupt: No, I think not, Mr. Speaker. If we could have the cabinet minister present move that we move to committee, the matter I think would be dealt with immediately.

Clerk of the House: The third order, House in committee of the whole House.

PUBLIC HEALTH ACT

House in committee on Bill 146, An Act to amend the Public Health Act.

Mr. Chairman: Bill 146, An Act to amend the Public Health Act. Are sections 1 to 9 carried?

Sections 1 to 9, inclusive, agreed to.

On section 10:

Mr. J. R. Breithaupt (Kitchener): Section 10, Mr. Chairman.

Mr. Chairman: Section 10, the hon. member for Kitchener.

Mr. Breithaupt: Mr. Chairman, I was just going to encourage the parliamentary assistant to make that amendment that he finds acceptable in the seventh line, that the fifth day be changed to the seventh day.

Mr. Walker moves that the word "seventh" be inserted in place of the word "fifth" in the seventh line of section 10.

Mr. P. D. Lawlor (Lakeshore): I must protest. I don't want to protest too much, I just want to protest properly, in the right measure. In other words, it's a very quiet protest.

If you start changing these mailing clauses in piece of legislation after piece of legislation—and they are all five days—you're going to set up that business of the hodge podge where every time you've mailed you're not sure of your running time. I think it's a bad move. In that kind of thing, there ought to be universality in your legislation.

Mr. Chairman: Any further comment? Is the motion to amend section 10 agreed to?

Motion agreed to.

Section 10, as amended, agreed to.

Sections 11 and 12 agreed to.

Bill 146, as amended, reported.

Hon. Mrs. Birch moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill with certain amendments and asks for leave to sit again.

Report agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 146, An Act to amend the Public Health Act.

Clerk of the House: The 2nd order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: Just before the hon. member speaks, it is my understanding that the member for Kent (Mr. Spence) was partly through his presentation when he adjourned the debate. He is unable to be present here tonight because of health reasons. Do we have permission of the House to allow him to complete his remarks at a later date?

That is agreeable!

The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, this is the fifth occasion on which I have risen to give one speech in the series, you might say, on the subject of organized crime; and I presume this will be the last in my series. I don't suppose I can have too many more opportunities to give budget speeches. I would like to break with tradition in the House and just for a moment, since this is a budget speech, say a word about the budget. I know this is unusual and has never been done before, but perhaps this will be tolerated just briefly.

Mr. Speaker. On the Ontario budget?

Mr. Shulman: Not just the Ontario budget, but also the federal budget.

I find it a great pity that the cabinet could not be here tonight. For my last budget speech, I had every cabinet minister sitting waiting anxiously for me. Perhaps I should have advised them I was going to do something similar. Perhaps I can bring them in. Tonight I am going to talk about the Provincial Secretary for Justice (Mr. Welch) and his relationship to organized crime. Maybe that will get them to come rushing in—

Mr. J. E. Stokes (Thunder Bay): They are on their way to Kirkland Lake.

Mr. Shulman: In any case, I think the record should carry someone's comment on the budget here in Ontario and the budget which was brought down last night in Ottawa, both of which are rushing us helter-skelter towards financial ruin, towards an inflation rate next year of some 20 per cent and towards an ultimate economic collapse in this province and in this country..

Both the provincial Tories and the federal Liberals have decided they are going to go with expansion policies. They have been frightened by the possibility of a recession and the possibility of unemployment. As a result, they have both decided to pump more money into the economy. The result I have been able to see in the last few days—it hasn't been in the papers yet, but I would guess it is going to be in the papers one day next week—is that there is now occurring, and it began approximately a week ago, a tremendous outflow of money from Canada and the United States.

An hon. member: Where is it going?

Mr. Shulman: It's going to Switzerland. It's going to Europe. It hasn't made the front pages of our papers yet; in fact I don't think it's even made the financial pages of the papers yet.

What one may have noticed in the Globe and Mail is a little blurb headed, "American Dollar Weak in Europe." Then today there was a bit stating that the US Treasury had to step in and buy some millions of dollars, and sell many more millions of deutsche marks and Swiss francs in an effort to keep the fall of the American and Canadian dollar from speeding up.

The incredible thing is that for the last 10 days there has not been a day go by when the American and Canadian dollars have not fallen on European money markets and in New York money markets by the maximum allowed. This is rather incredible, because what has not been realized is that in the last two weeks we and the United States have devalued our dollars by 10 per cent; they have gone down that much in two weeks. The American dollar and the Canadian dollar have gone down in buying power by 10 per cent.

That may not mean very much to the guy in the street, but it's going to mean an awful lot in a very few months because as we start to import—and we import many many things from the rest of the world; things ranging all the way from sugar to bicycles, wine, cars and many raw materials—all of those things are going to have to be paid for at a price 10 per cent higher in terms of dollars. And that means that the inflation rate, whatever it now is in Canada, is going to speed up by an additional 10 per cent in relation to everything that we bring from outside the country.

Mr. Turner ignored that yesterday. He said: "It doesn't matter. We've got to have expansion. We've got to put more money into the hands of the people. We have to do the right thing."

And I sit appalled, as I realize what is going to happen to prices and wages. There's no way wages can keep up; this 61 per cent our civil servants are asking for isn't enough. If they get 61 per cent over two years, they are going to be behind in terms of real buying power when that two years is up, because half of that goes in income tax and they end up with 30 per cent. If they get 30 per cent net after income tax over two years, they end up with a net 15 per cent per year, and the dollar is going to lose more than that in buying power in the next 90 days.

We have a tremendous financial disaster rushing at us, and nobody seems to want to do anything about it—nobody here and nobody down in Ottawa. Instead, they say: "Print more money. Give more money to the poor. Lower the income taxes." Nowhere has the thought come to these economists, our Treasurer (Mr. White) and the Finance Minister in Ottawa, that if they don't balance the budget, somewhere along the line we are going to have disaster—and that "somewhere" is coming very close.

I will wager that within a week, perhaps tomorrow, there will be a headline in the Globe and Mail when they suddenly wake up and realize that over the last two weeks our dollar has been effectively devalued and no one has told them why or how. The why is very simple, because we are insisting on printing more money, and more important, forcing down interest rates.

I know it's very popular for people from all political parties to get up and say we must have lower interest rates. I believe some politician said if he was elected in the federal election he was going to have six per cent mortgages. All very well, provided that at the same time you cut the amount of money supply, if you balance the budget.

But if you attempt to force down interest rates, which is what we are doing in this country and in the United States, while at the same time you increase your money supply—increase the amount of money going out—what happens is you have a tremendous flow of real money from the country. That is exactly what is happening in Canada today; that's exactly what is happening in the United States today. This lowering of the interest rates by about half of one per cent over the weekend, and another half of one per cent to come this week, is the most disastrous financial move that anyone can make.

All right, I have played Cassandra enough tonight. I know no one is listening, and I know perhaps no one can do anything about it anyway. One of the two men who could do something about it is the Treasurer. He is over being entertained in Arabia. I presume he'll bring lots of money home which he'll throw into our economy here in Ontario and make the inflation that much worse again. The other is John Turner, and he doesn't care.

Mr. J. M. Turner (Peterborough): He's right here.

Mr. Shulman: Is the Treasurer back?

Mr. Turner: No, me.

Mr. Shulman: The wrong John Turner. I wish the member could do something about it; perhaps he would pay attention.

In any case, a year from now—I presume by that time I will be in some happier place; or I'll have gone to my just reward, having finished my political career—I am going to mail this speech down to you, Mr. Speaker, and you're going to look back and say: "Gee, I wish I had listened to him"; because by that time you had better raise your salary again because it is not going to be enough.

Mr. Speaker: I might remind the member for High Park that a lot of us might be in the happy hunting ground by that time.

Mr. Shulman: Let's hope not too many.

Mr. J. F. Foulds (Port Arthur): And the present Speaker can't read.

Interjection by an hon. member.

Mr. Shulman: I want to turn to something about which we can do something here in this House—however we don't—and that is the problem of organized crime. I have given a number of speeches on this subject here and I want to go to a different branch of it, specifically organized crime on the waterfront.

Mr. Stokes: Isn't there a word you are not supposed to mention when you are talking about that?

Mr. Shulman: There is a five-letter word we are not supposed to mention. That five-letter word, incidentally, is Mafia. I am deliberately not mentioning that because the Mafia isn't involved in this branch of organized crime. There is a great misunderstanding about organized crime. There used to be a feeling there was a man sitting somewhere, in Miami or Hamilton—

Mr. Stokes: Or in the gallery.

Mr. Shulman: —or in the gallery, who was organizing everything, and all over North America he would say: "Do this, do that." And of course that is nonsense. Organized crime does have groups which control different aspects of it.

Mr. F. Young (Yorkview): Godfathers.

Mr. Shulman: Godfathers? We can call them that. They are not exclusively Italian, let me say that. They come from every nationality, they come from every group; they go to different areas where a human need is illegal or is not being satisfied through legal means. Perhaps I shouldn't say human need; rather human want.

Whether it is a need or a want to bet, it's illegal to bet at the corner drugstore; so they supply bookies who will take your bet. It's illegal to pay a woman for sex, but there are men who can't get sex any other way and they supply the woman who will give you sex. It's illegal to borrow money at excessive rates of interest, and they will supply that money at those excessive rates of interest.

You will always find people who are prepared to satisfy those human wants or those human needs, and no society is ever going to get rid of them. The problem is, our society isn't making attempts to keep them under control; and unless we make those attempts, organized crime is going to grow here just as it grew in the United States

where it is so out of control in so many areas.

I want just briefly to speak of history in this province, because the problems all go back to our various Attorneys General. We have had five Attorneys General in this House in recent years. The first one, Kelso Roberts, denied that organized crime existed, so if it didn't exist there was no need to do anything about it.

The second man, poor Fred Cass, recognized the problem. He recognized it all too well, and in his efforts to control that problem he brought in that famed Bill 99 which was his downfall. It was a pity, really, because in the excitement and the fervour of getting rid of Fred Cass and the anguish about civil rights, all of the good things of that bill were washed right down the drain. The reason that bill was brought in was because at that stage organized crime had developed a very large foothold in this province. He recognized that and wanted to move against it.

Well that government facing me was so frightened by Cass' fate that they haven't done a thing since then. The men who followed—Wishart, Lawrence, Welch—were lovely, well-spoken, soft-spoken men who flatly, on every possible occasion this came up, refused to take action.

The most flagrant example, of course, was crime in the construction industry. Some three years ago I arose in this House to talk about the bombings and the machine gunnings and the Attorney General of the day, the member for York Mills (Mr. Bales) arose in injured innocence and refused to do anything. I had made a gruesome, horrendous error in the course of that speech and he dwelled on that at some length, but the rest of it was all lost. The Prime Minister (Mr. Davis) did step in and ordered a royal commission to be held on that very limited basis, on that very limited matter, but it has touched only that and any suggestions of extending it to the other areas of organized crime have been flatly refused.

I want to go back just three years, so that perhaps you can understand the tremendous extent of the organization of crime in this country. If crime is to be organized nationally or internationally—and organized crime is an international operation—the people involved in it must meet and this is one of their major problems.

There was a tremendously important meeting—the so-called Appalachian meeting—some 17 years ago which accidentally came to the attention of the police. The police raided that meeting in Appalachia. The men who were involved had their names in the paper and had numerous charges laid against them, for one reason or another. This was a tremendous fright to the criminals involved and they determined never to have such a meeting in the United States again.

Instead they have their meetings outside of the country. Now a very popular place is Ontario. Ontario is popular because it is close, because they found they are not harassed and because the police have not been, at least until recently, troublesome to them.

The other place is Acapulco, Mexico, which has a great advantage in the winter months. Its weather is delightful, the police are expecting many foreigners to come in and are delighted to have them come in and spend money. As a result there have been regular meetings take place in Acapulco where organized criminals from the United States and Canada can meet. By chance, the details of one such meeting have come into my hands and I would like to relate it tonight because it will give an indication of just how widespread this type of crime is in this country.

This particular meeting took place on Feb. 24, 1970, and the RCMP learned about it by accident. There is a man in Montreal named Paul Violi; the police had his phone tapped from 1966 up until our most recent and horrible development, the wiretap legislation—I want to talk about that because that has been the most horrible setback to control of organized crime.

In any case, one day back in December, 1969, Violi received a phone call, from one of my patients actually, a man by the name of Fred Gabourie. He is a fine gentleman but he does have strange friends; although he has a good doctor.

In any case, as a result of the wiretap on Violi's phone they learned there was to be a high-level meeting on Feb. 24, 1970, in Acapulco, of the organized criminals from Canada with Meyer Lansky from Florida and certain individuals from France and others from the United States to discuss the legislation of casinos for gambling in the Province of Quebec.

The meeting was organized by the Cotroni family of Montreal and it had been discussed with the Magaddinos in Buffalo. The meeting was set up and organized by a man from Montreal by the name of Benjamin Kaufman.

Now Benjamin Kaufman of Montreal is a very interesting man. He is a very close friend of the Cotronis and he is very well

connected down there, or was. The other man who was involved in the meeting was a man named Leo Bercovitch. Leo Bercovitch also lived in Montreal and he has a very interesting job also, or had. He was the man who laundered all of Meyer Lansky's money up here; and by chance, from the internal revenue service in Brooklyn, New York, of all places, has come to hand the details of one transaction in which Mr. Bercovitch was involved. I will just read it because it is quite fascinating.

In 1965 Meyer Lansky purchased mineral rights located in West Virginia, of all places, from a man by the name of Garfield for $22,894. He never got around to paying that $22,894 for some reason; he gave him a note. But in 1969 he resold these mineral rights, although no work had been done on them whatsoever in that time, to a company called Rodosa Investments Ltd., owned by Leo Bercovitch of Montreal. He resold them at a very nice profit—$127,105.96 is what he received for them—and Lansky then declared the capital gain of $64,552.98 on his income tax, which he happened to file in Brooklyn. He declared this as a capital gain and paid the 25 per cent tax on it.

This is how money is laundered through Canada. This is one of a number of transactions. This is how criminals send money up here, have it go through this type of spurious transaction, and have it go back down there into legal enterprises. This is money that has been the product of illegal activity—bookmaking, prostitution, loan-sharking, heroin traffic, immigrant smuggling. It's cash. They can't buy enterprises with it down in the United States without first putting it through a sham transaction. That is what Bercovitch did in Montreal, and that is how Lansky had to handle this kind of transaction.

Leo Bercovitch purchased a beautiful hacienda in Acapulco and at this hacienda the majority of the meetings took place at which was discussed who had to be bribed in this country, and how, in order to get gambling casinos legalized. I must tell you, Mr. Speaker—it is quite interesting—there were more cops at that meeting than there were criminals. There were some 60 criminals from this country involved—I have their names here—but because the police were aware this meeting was to take place, the RCMP notified the FBI, the FBI in turn I am sure notified the Mexican federal police. The police bugged everything in sight and they came back with a tremendous amount of information.

To me the interesting thing was that it looked like every criminal in this country was at this meeting. The group from Montreal included Frank Cotroni, Joseph Todaro, Claude Faber, and M. Cianciullo and Paul Violi, and of course Benjamin Kaufman, whom I mentioned before, and Bercovitch.

From Hamilton there was a very large contingent: Salvatore Alfano, Richard Perrin, Dominic Ciarillo, Jack Donnelly, Jack Pettigrew, Red LaBarre, and Dominic Pugliesi from Guelph.

Now here are some from Fort Erie. We have Frank Garbarino, Vincent Cossini, Armand Cossini, Frank Pasquale, Anthony Papalia and Albert Moretti.

An hon. member: Oh, not Tony Papalia.

Mr. Shulman: Yes, Tony. Not Johnny.

Of perhaps some greater interest, there was one justice of the peace from Ontario, a justice of the peace from Grimsby. A rather important lawyer went down, a man by the name of Raymond Daoust. He was the key political man, the man who was to make the connection with the Quebec government.

Mr. R. Haggerty (Welland South): He wasn't the godfather was he?

Mr. Shulman: No, he was the consigliore, I think they call him.

Daoust is a Montreal lawyer; he is the brother-in-law of George Lemay; he's a lawyer for the Cotronis, and he is reputed to be very well connected. These men met with Meyer Lansky. They met with other important American criminals. They met with a key heroine smuggler from Marseilles. The whole thing was recorded. Part of the meeting took place at the Acapulco Hilton; part of the meeting took place at Bercovitch's villa. In total there were some 60 people from Ontario and Quebec who attended this meeting.

That's history now. Unfortunately they ran into a little bad luck with the FLQ a few months later; one of their key contacts came to a bad end and the plans which had been worked out didn't eventuate.

The reason I'm relating that story is to indicate that if organized crime is that well organized that they can have international meetings at which such important things as subverting a whole government can be discussed, it is absolutely essential that our intelligence department have all the help it can get, and we aren't giving it that help.

The first thing is, the federal government with its new wiretapping law, with all the best will in the world—and I understand the feelings it has behind it—has crippled any

attempt to control organized crime. You can't bribe these people to talk; you can't browbeat them into talking; you aren't going to get informers because those informers will be killed. The only way you can get information is through electronic eavesdropping.

I suggest to the members that at some point in this country's history we're going to have to make the decision: "What is more important—the ultimate in civil liberties which we all pay lip service to, or controlling organized crime?" Somewhere we have to decide that we are prepared to give up some amount of our privacy in order that organized crime may be controlled.

I've come to this conclusion very reluctantly; this is not the conclusion I came into this Legislature with seven years ago. But as I realize the extent and the power of these men and the amount of money involved—it's in the billions of dollars—I recognize that unless we are prepared to give up something we're not going to control it.

We must give the police, not the right to unrestricted wiretapping—no one suggests that—but the right to wiretap on the order of a judge hearing the case ex parte in camera, and we must have enough faith in the police and the judges of our Supreme Court together to believe that that will not be abused. I do believe that type of privilege will not be abused.

This business of giving notice to someone 90 days after you begin a wiretap is ludicrous because this means that, in effect, you're not to complete any major investigation. The great raid last year where the RCMP caught all those heroin smugglers who brought the stuff in from Italy never would have been concluded if wiretapping could not have been carried out.

Let me say a word about wiretapping. These criminals know their phones are tapped. There's no doubt in their minds, the way they talk. I've had the opportunity of reading some of these recorded conversations. They're very aware. But the intriguing thing is that every now and again, even though they are aware and they jokingly say "Hello, RCMP, are you listening?", somewhere along the way they drop a word which can be used for something to follow up a connection —"We'll meet at such and such a place"; "We'll meet at the usual place"; "Johnny phoned." One thing leads to another. Or else: 'Don't call me at this number, call me at another number," and they give the number. They are not infallible.

They're used to getting away with murder. One reason they get away with murder in this province is that for many, many years the OPP didn't have a chance. They didn't have the personnel; they didn't have the equipment. I've had the opportunity this past year to meet some of the men in the OPP and I'm impressed. Let the record say that. They still don't have the equipment they need, and this is partially a hangover from what went before.

When I was down in Detroit last year seeing the equipment that the police forces in the US have with which they fight organized crime, it just is mind-boggling to see how far ahead of us they are and the things that we could do at this early stage before organized crime gains the tremendous stranglehold it has down there if the equipment were available.

Well, a breath of fresh air has come along, and I give credit to him; he is the Solicitor General (Mr. Kerr). He has the will to do the right thing, but I'm not sure he has the muscle to do it. Because there is another man in this House, the Chairman of the Management Board (Mr. Winkler), who says, "We are not going to waste money on those things." There is a little problem getting it past the Management Board.

So I'm directing this to the Conservative back benches. When this comes up, and it will come up, for goodness' sake make sure the OPP intelligence get the money and the manpower they need; because if they don't we are going to pay for it 100 times over. Support the Solicitor General when he goes to the Chairman of the Management Board and has that battle.

I've been one of the persons saying, "Cut down on expenditures." But one place where we really have to put some money is in the OPP—and not in the traffic division or catching people with radar from airplanes, but in the intelligence and security ends.

Okay, if we can get the federal government to amend its wiretap bill—and I hope something will be done in that field—we can get some progress. If we can get the federal government to move on legislation to make laundering of money a crime, that would be tremendous progress. We know of cases where it occurred; it's no crime in this country or in this province to launder money. I did bring a bill in here and the Solicitor General has sent it on to the Hon. Mr. Lang, so far with no effect. Perhaps someone might give Mr. Lang a little bump.

If we do those things at the federal level, and if we give support to our police at this

level, organized crime can be prevented from developing into the horrible colossus that it has become in the United States.

I now want to turn to another aspect of organized crime—and I don't want to suggest that this is tied in with the Acapulco meeting or the other forms of organized crimes, because it isn't. This is an entirely different animal. This is organized crime in the form that affects labour unions. Let me say right away that most labour unions are clean. Certainly the large unions, such as the Steelworkers and the Auto Workers, have never had any problems of this nature whatsoever.

It's the craft unions that seem to run into trouble constantly. The reason they run into trouble is those damned hiring halls; this is where the whole problem lies. The worst of the bunch is the SIU.

Mr. R. Gisborn (Hamilton East): What is it?

Mr. Shulman: SIU, the Seafarers' International Union. For the last six months I've been looking into the affairs of the SIU, and I have never seen a worse mess in my life. I lay the blame exactly where it should be, at the feet of the federal government in Ottawa. It is their baby, they produced it; and there are people in Ottawa who don't want to see it touched to this day. It all goes back to the old horrible days of Hal Banks, and nothing has changed since he was there.

The Liberals brought in Hal Banks to break the Canadian Seamen's Union which, as you will recall, Mr. Speaker, was a Communist-run union that had signed up all the people on the lakes in Canada. The government was determined to break it. The government brought in Hal Banks and it supported him; he broke the union and he produced a worse situation than any Communist group ever could have.

Mr. Gisborn: The Communist union was clean.

Mr. Shulman: The Communist union, the CSU, was clean, as my colleague says. But this union has never been clean since then. They use violence. They use bribery, which they aim at the politicians. They use crooked elections. They use roving squads of thugs. They use people who go from hiring hall to hiring hall and vote constantly in every election, because they don't have the vote simultaneously; they have it in one place and then another and they bring them by cars or by trucks to vote in place after place.

Mr. Gisborn: Supported by the federal Liberals.

Mr. Shulman: Oh, there is no question—well, I'm not sure who supports who. They support the federal Liberals; they boast of the donations they give to them. And the federal Liberals sure as heck aren't very anxious to do anything about them.

Mr. G. Nixon (Dovercourt): Terrible.

Mr. Shulman: But I haven't seen any action from over there either. Anyway, we finally got rid of Hal Banks, and I suspect that that was perhaps more the result of the Toronto Star than any governmental actions. But we got rid of Hal Banks, and nothing has changed.

I have affidavits going back to 1970, and this most recent batch of troubles dates back to 1970 because a few of the men in that union got the bright idea that they should be allowed to vote democratically for who should represent them. They got a man named Glasgow to run, and there is no question he won the election—at least, I shouldn't say he won the election. He lost the election; he had more votes cast for him than his opponents, but the way votes are counted in the SIU this amounted to nothing.

The course of that election campaign was marked with violence, with fraud, every type of illegal activity you can imagine, Mr. Speaker. I have a whole raft of affidavits here in front of me which date back to 1972; I don't want to dwell on them because I want to come up to what is happening today. So let me just read one as an example:

> Affidavit:
>
> I the undersigned, Eric Newhoek, seaman, residing and domiciled at 105 Bleury St., having been duly sworn to depose and say I am a member of the Seafarers' International Union of Canada.
>
> On March 13, 1972, at approximately 12:30 p.m. I was in the headquarters of the Seafarers' International Union on the first floor looking for employment. When I was there I was physically attacked by an individual which I cannot identify for the time being for the reason that he was wearing a mask. I was hit in the face several times and also kicked while I was lying down, and as a result I lost consciousness. While I was being beaten another man which I cannot identify for the time being was standing guard at the door.
>
> I am under the impression that these two individuals were working on instructions

coming from people occupying official capacities within the union, which is the Seafarers' International Union.

This physical attack on my person was made in the presence of David Sutton, Leonard Windsor and Donald MacFarlane. During the said attack, there were also present 25 Seafarers' International Union of Canada members and an individual named Kenneth McGuire, employed by the Seafarers' International Union of Canada, and acting in an official capacity as such. The said Kenneth McGuire did nothing to stop the said physical attack on my person, and to the best of my knowledge no attempt was made to call the police nor to stop the situation.

This statement is made by me without any threat or advantage or promise to me, and I have signed.

Eric Newhoek.

Sworn before me, at Montreal, the 15th day of March, 1972 [a commissioner].

Mr. Gisborn: Who signed it "commissioner"?

Mr. Shulman: I can't make out the commissioner's name, but it looks like Brailla.

Mr. Gisborn: It isn't.

Mr. Shulman: Well, I have a bunch of others, if it matters. The commissioner was just a commissioner. Here is another one by Walter Eland, another commissioner. And I have got a bunch more here. But that's history. That was 1972.

Well, Glasgow won the election properly, but they never let him take office. They tied it up in the courts, and they have kept it tied up in the courts with one legal strategy after another, so now we are coming up to another election and that election still hasn't been settled.

I am only telling you this, because it gives the backgrounds to what is happening today, Mr. Speaker.

The unions have a very interesting relationship with the employers, with the shipping companies. You might call it a sweetheart relationship; that's an interesting name. I first learned about this mess on July 7, 1974—just last July—when I received a letter. I don't want to read the name of the man who signed it because he will run into more trouble—more beating—but I want to read the letter, because it sums up the feelings of so many men.

Dear sir:

I am writing to you to see if you might be able to help me. You are well known for exposing the wrong and getting things cleaned up.

I am a seaman. I am with the Seamen's International Union, SIU, 272 King St., Toronto.

We had a strike and when that strike was over, myself and 16 other men were blacklisted. I went down two weeks ago to pay my union dues and was badly beaten and kicked by Mr. Roy Willis. Ed Harnon threatened me with a baseball bat and also threatened to load up Roy Willis's shotgun.

They had me fired from my job. I am not allowed to ship out and I can't get nowhere near the hall. They have two heavies hanging around there at all times. Men have been threatened with a shotgun. Some of them have been pushed around by heavies,

I have lost my livelihood. I am out of work, can't get assistance unless the welfare comes through. At present, my hands are tied, I can't fight this alone, I will lose everything I have as I cannot make my payments.

Thank you very kindly,

I remain—

and it's signed by a man who lives here in Toronto.

I found this hard to believe. If it had come from one man I wouldn't have believed it, but at the bottom of the letter here are the names of other members of the SIU you can call who will back up my story, Mr. Speaker, and there are a list of names here. I am not going to mention the names of any of the men because quite frankly I fear for their lives.

Since that time I have interviewed some 15 members of the SIU, each of whom were either beaten, or saw someone being beaten. The reason they were beaten is very simple—because they voted the wrong way when an agreement was brought to them by the heads of the union last April.

Let me read to the House a sworn statement which I took from another man. I took this statement on July 11, 1974, from Mr. F. He lives in Scarborough.

In April, 1974, the lake boats were coming up for a new contract. I didn't like it, so I beefed about it at the union meeting. In my opinion, it was a poor contract and because of my beefing and getting others

to go along with me, I lost the right to return to my job on the dredge "Canadian," belonging to McNamara Marine. I was also warned that if I was to continue beefing about the contract, I would be in serious trouble.

I laid up the dredge "Canadian" on Dec. 23, 1973, and received a notice of intent that I would be recalled to my job when it came out in the spring. When the dredge came out, I wasn't recalled to my job. So I went down to see Mr. William Oxby, a superintendent at McNamara Marine.

I asked him why I wasn't recalled to the job, and he told me in front of a union member named Williams that my job was filled by someone else and if I wanted my job back I was to get in touch with Roy Willis, the local head of the union, or straighten it out with the union, because as far as he was concerned, my job was available to me as a person.

I worked on that job for 5½ months. In 5½ months, I lost only three days' work through sickness and we were working seven days a week. There never was a beef about my capability of doing my job, but because of my complaining of the contract and the lake boat, that job was no longer available to me.

I went into union hall on a Saturday morning. I was told politely that if I didn't keep my mouth shut, this was my second warning, that things would get a lot rougher. About a week later, I called Gralewicz, the president, and asked him why I never got my job back on the "Canadian" after receiving the notice of intent. I told him that William Oxby had told me that Roy Willis had phoned him and told him not to recall me to the job.

For the next 2½ months I got an average of seven phone calls a day. There was no voice, no sound; just as soon as I would answer the phone, they would hang up on the other end.

I was registered as deckhand on Jan. 3, 1974, with a shipping card [I'll leave the number out]. In April, a duplicate of this card was taken down from the board and not replaced. Shortly after, I had several phone calls from a member of union hall telling me it wouldn't be advisable for me to go around to the hall as I was also being looked for.

I asked President Gralewicz about my ship, and he said he would look into it with Roy Willis and he would let me know within a few days. I have never heard anything since that date.

I took statement after statement like this. There's no point in reading them all; they all read the same way, except for a few. A few vary as to whether they were beaten or whether they were just refused work.

The background is that last April in Montreal, union leaders sat down with owners—a Great Lakes shipping organization—and they "hammered out," those are their words, an agreement which union leaders felt was quite magnificent; but with which the owners were not happy. They claimed they weren't happy; but I suspect they weren't too unhappy. When the men heard this agreement—I have the figures here; I'll give you the figures, because it is just overwhelming—

An hon. member: Whose jurisdiction is that?

Mr. Shulman: It is a federal jurisdiction.

In Toronto, there were 169 present for the meeting; 166 voted against the agreement. Three didn't vote. In Thorold, 250 were present at the meeting and it was voted against unanimously; not one vote in favour. And yet, somehow, when the votes were all counted across the country, the men had accepted the agreement. Very strange.

How did they accept the agreement when it seemed that everyone was voting against it? Well, I spoke to one man—and I can't give his name for obvious reasons—but he told me an interesting story. The day after the meeting in Toronto, a second meeting was called at the union hall and a second vote was taken. However, they didn't bother to notify the members about it. They did bring people in to vote—heavies, they call them. There were only 30 people at that meeting and they, of course, voted for the agreement. They had a second meeting in Thorold. The same people were voting again.

Using this form of democracy—and the Minister of Labour (Mr. MacBeth) should hear this; he's someone who should be doing something about this—using this form of sheer phoniness, sheer fraud, they announced that the agreement had been accepted and it went into effect. Some of the men complained, and this is where the trouble began. It's one thing to vote against an agreement—that they'll tolerate—but what they won't tolerate is your objecting to it.

At the next meeting of the union some 17 men got up and objected and those men were immediately put on a black list and told they could not work again. A few of them made the mistake of coming down to the union hall and complaining and they

were beaten in the union hall. One man was taken into the washroom of that union hall and beaten with a baseball bat, while an officer of the union stood by with a shotgun. Quite interesting! I went down to that union hall. It's on King St. It looked like a fort. I was scared going down there. I don't mind telling you, Mr. Speaker. I went down accompanied by a couple of friends.

Mr. M. Gaunt (Huron-Bruce): Did the member have a baseball bat?

Mr. Shulman: No, but I was carrying a gun, I'll tell him—I was peeing a little green that day—but we went down to see what it was all about. We knocked on the front door. There was a little hole in the door and someone's face finally appeared at the door and said, "Go around the side. You can't get in that door. It's barricaded." There's a little narrow door one can get through at the side. One person at a time can get through that door. It's quite an experience.

The hall is a quarter of the size of this room. There's a little area barricaded across at the end with a counter on it. There's a board along the side where people who are eligible for work have their names go up. There are perhaps 30 or 40 men sitting playing cards, drinking, sitting down at the end, presumably waiting for work.

When I was down there Roy Willis, the boss, wasn't there that day. His deputy, a Mr. Harnon, flatly denied that they had a shotgun in the place or ever had had a shotgun in the place. He did admit tapping one of the men with a baseball bat to restore order, as he put it. Quite interesting!

I went back a second time to see Willis. This time Willis obviously hadn't been properly briefed by Harnon. He said, "Of course, I've got a shotgun. I have to keep it to keep order here, to keep these guys in control, but I never load it." They work by fear, and I can understand that because I had nothing to fear from them and I was afraid. Someone going to that union hall to complain is in deadly danger of his life.

One of the men was beaten in the union hall in July, three days before he contacted me, in front of 25 other men, while he was held down and while a man worked him over with a baseball bat. Others were beaten on the street. One man was pulled out of a drinking parlour and attacked. One man was attacked in his home by three men who were brought down from Montreal for the job. What was their crime? Their crime was that they were objecting to this union contract.

What else happened to them? They couldn't get work. Suddenly men who had been working steadily couldn't get work at all. I found this strange and I asked Willis and I asked Harnon, "Why can't these men get work? They had no trouble getting work last year." I was told there was no problem at all. If they wanted work, all they had to do was come down and put their name on the board and pay their union dues. Except when the men try to come down, their union dues aren't accepted.

I said to Willis, "Did you ever call McNamara Marine or any other company and tell them not to hire these men this year?" "Never," he said. I thought we should find out about this. So I called this man Oxby, the superintendent, at McNamara Marine, and he said, "Yes."

I asked him if one specific man, who had worked there the year before, had given his letter of intent. A letter of intent is something that is given out by union contract to any man who is working on a ship at freeze-up time and this entitles him to get his job back when the spring break-up comes.

Two of these men had letters of intent. They worked for McNamara Marine right here in Toronto in the fall, laid the ship up, came back in the spring to go to work, and were told there was no work for them. The name of the man who told them was Oxby. They said "why not?"

"The union had instructed us that you not be taken back."

"What about this letter of intent?"

"Sorry, there is nothing we can do about it. The union says if we take you back we won't get any more men."

This is what they said Oxby said. So I phoned Oxby and, I said, "Is it true?" He said, "Well, I couldn't tell you that. No one from the union ever told me that. I got my instructions from Mr. White". I said, "Who is Mr. White?" He said, "Mr. White was my boss at McNamara Marine. He has left the province now. He's gone to Newfoundland. He works for McNamara Industries in Newfoundland now." I said "Thanks very much." He said, "All I do is pass on instructions that he's given me."

I got in touch with White down in Newfoundland quickly, before anyone had a chance to get to him. I said, "What happened? Why were these men not taken back on? Why did you give Oxby those instructions that they weren't to be rehired?" He said, "I was phoned by Frank Willis at the

union hall and told they had voted the wrong way and they weren't to be rehired." That happened here in Toronto this April.

Mr. J. R. Breithaupt (Kitchener): Real democracy.

Mr. Shulman: Real democracy. So here they are in control. They are not afraid, those people in control. They had a "do-not-ship" list. When I was at the union hall I said, "What is this do-not-ship list?" Willis said to me. "We don't make that up. That's made up by the companies. You can't blame them. If there is some man who has done a bad job there, you can't force them to take him back. They occasionally send us a list of people we are not to send them, but we don't make up the list."

I went down to Montreal and I met with the Great Lakes Association, all those rich men sitting in their lovely houses in Westmount, and they said, "We do not make up the do-not-ship list. The union makes up the do-not-ship list." So nobody makes up the do-not-ship list, but somehow it's there, and once you are on that list you never work again.

Not only that, when you don't work you don't draw unemployment insurance. These men went down to try to get on the unemployment insurance and the unemployment insurance people said, "Oh no, you can't have unemployment insurance because your union says there is work available and you should go and get it." But if they try and go and get it, they get their heads beaten in, or maybe worse.

A man drowned this summer in the Welland Canal. The man, who had been in the Seafarers' International Union, had run into trouble with them and was trying to get back in. He was found in the canal with his hands handcuffed behind his back. The verdict was suicide. Maybe it was suicide, I don't know. I accept it, but that isn't what the seamen believe, and that is not the story that is being spread by the union leaders, because they want it believed that if you fight against them something very bad may happen to you.

So whether or not this man drowned as a result of being thrown in or whether it was a suicide is irrelevant. The men are terrorized and terrified. They are aware that if they do anything wrong or speak out publicly, at the best they will be beaten up, at the best they won't be able to work, but at the worst what may happen to their families—there have been threats made—or what may happen to themselves?

Well, isn't it all one man's word against another's? Fortunately, no, we have some other evidence. One of the men—and I can use his name, because the union is aware of his activities—his name is Jack Raffick, he is brave and he is smart, and he put a tape recorder on his phone, and he tape-recorded conversations with the union leaders where he was told he would not be allowed to work again; he tape-recorded a conversation with the owner of McNamara Marine, where he was told that Willis had given instructions he wasn't to be hired again, and that tape-recording I gave to the police and it was passed on to the Attorney General's department.

What do the unions say? I have a statement here from the president of the union to all the members, and I think perhaps he should have his say. I am going to read it in full. It's just two weeks old. It's called "Message from the President" and it says:

> Nobody likes to strike. The hardship it inflicts on all concerned is painful. Unfortunately it seems that it's the only way the working man can make management take notice of his plight. In the maritime industry it's sad to see that the only time we have been able to get the recognition for our services that we deserve from shipowners was to man the barricades and picket lines. This spring after a three-week strike we were able to come up with the best Great Lakes contract ever negotiated. More recently our shipmates, the engineers of the BCMOU and the mates union, decided to adopt the same strike tactic and after a long, hard battle settled for a much improved agreement. The settlements with the shipowners were as a result of mutual support on behalf of the three unions concerned. Solidarity is what it's all about. With all three unions working together the results were inevitable.
>
> Just in case you are curious about the sudden interest in our union by outside parties in the way of attacks in the press and so on, just remember one thing, certain wealthy and powerful individuals are unhappy with the vigour and aggressiveness of the new leadership of the SIU of Canada and its members. It is no secret that certain outside interests [that's me, I guess] financed by certain shipowners are doing everything to discredit and blacken the name of our organization. These attempted smears are a proof that someone feels the SIU of Canada has become some-

thing to reckon with. We won't take a back seat to anyone, and that's what is upsetting them. Long ago in this very newspaper I pledged to improve the wages and working conditions of Canadian sailors and to see to it that legislation is passed to ensure job security in the shipping industry. Judging by the attacks recently against this union, we must assume that we are stepping on someone's toes and they don't like it. Tough! We will stick together and continue working for bigger and better things for all of our members.

Roman Gralewicz.

Well, I guess I am the—what is the word he used?—wealthy and powerful individual who is being financed by certain shipowners to discredit them, as I am going to do all I can to discredit them. Unfortunately the shipowners aren't helping.

We now have a union here in the city under federal jurisdiction, unfortunately, which is terrorized. It is run for the pleasure and profit of the people in charge. The men have no say in whether or not agreements with the shipowners are accepted. They have no say in who is elected. They have no say in where they ship; they can't go down to a ship and say, "Take me on," even if they have been on that ship for years.

Another man, who worked for Canada Steamship Lines on a ship for years, had an accident last June. Something fell on his toe and he had to leave the ship for a few days to receive treatment for that injury. When he returned to the ship, the captain said: "I am sorry, you can't come back on." He said: "Why not?" "We have received instructions from your union you are not to work again. You voted the wrong way on the union contract."

I got in touch with the chairman of Canada Steamship Lines. I went to Montreal and asked him flatly if this was true. He called his captain. It was true.

Canada Steamship Lines don't run their boats. McNamara Marine don't run their boats. Those boats are run by the union, by the SIU, and they are run for the pleasure of the leaders of that union.

What have the police been doing about all this? They have been working hard. The complaints of recent beatings first came to the Metro police. From there it went to the OPP and they have done everything the police can do, but what can they do? Can they persuade these men to come and lay charges? What charges? Charges of assault?

If they bring Roy Willis into court on a charge of assault, what if he is convicted? The charge of assault means nothing to him. He will pay a $50 fine. What if he goes to jail for 10 days? So what? And what's going to happen to that man afterwards? Suppose Willis phones the next day and says: "Oh, it's okay. You can ship out tomorrow." What's going to happen to him when the ship is going through the Welland Canal or it is out at sea somewhere, some dark night when he is on watch? No one is going to be foolish enough to go into court, not if he ever intends to go on a boat again. So it's ludicrous to suggest that these men lay charges, because their lives are at stake.

I took all this to our energetic Solicitor General, Mr. Speaker, and I said: "Solicitor General, you have to do something. You have to hold a royal commission because you don't have evidence to lay criminal charges that are going to stick. The only way you are going to get these men is the way we got all the other criminals in this field and that's through a royal commission."

The Solicitor General said: "Let me look into it." He called me back a couple of days later and he said: "Gee, it's a bad mess. I don't have the authority to call a royal commission—you had better speak to the Attorney General, Bob Welch." So I made an appointment to see the Attorney General and I went down to see him and he said: "Gee, that's a bad business. I will certainly look into it."

That was back in August. In September he looked into it and he said: "Well, we certainly have to do something about it, either in the form of a royal commission or getting charges laid." He called down to the Solicitor General and said: "Get some charges laid." But there were no charges laid that meant anything that would stick, so this ball bounced back and forth.

Finally I said: "For God's sake, hold a royal commission because that's the only way you are going to expose this mess. It's the only way you are going to fight these people. It's the only way you are going to get some results." When he came back he finally said: "No, we won't hold a royal commission. It is a federally chartered union. It comes under the federal government. They are the ones that should take the action." Well, they are not going to take the action.

Do the members know why they are not going to take the action? Because someone in Ottawa has been paid off. I don't know who, but they boast about this at union headquarters. They don't have to worry about the federal government. They made massive con-

tributions in the last campaign to certain key Liberals. I don't know who they are, but I know that contributions were made.

This is one reason we should have a royal commission here. Let's get a look at their books and see who got the money. I am personally satisfied that no provincial politician received any money from them. There is no reason why we can't move. But if we wait for Ottawa to move we are going to wait forever, because there are too many people who might get hurt down there, too many important people who might be affected, and the Ottawa government is not going to take any action against the SIU now or ever.

I don't have the Attorney General or the Solicitor General here, but I do have the Conservative back-benchers and perhaps one cabinet minister. So I say, for goodness' sake, we have everything to gain and nothing to lose by moving against the SIU. The Conservatives are not going to lose any votes; that's for sure. They don't care very much if the Liberals get embarrassed down in Ottawa anyway; I don't think anybody cares in this House, on my right or my left.

This is the worst mess I have ever seen in the field of crime since I have been involved in this particular endeavour, and I have seen a lot of messes. This makes the business in the construction industry look penny ante. The people who were throwing the bombs at Acme Lathing never stooped to the type of activities that the SIU stoop to.

If anyone is to move against them, it has to be here. It can't be anywhere else, because no one else is able to move.

Well, all right, the Minister of Labour is here. There is one thing he can do something about. Why doesn't he do something about the hiring halls? If there weren't hiring halls they couldn't handle it. If we are going to have hiring halls—and hiring halls can work—he must have them supervised outside, by government, so people aren't afraid to walk in there.

Hon. J. P. MacBeth (Minister of Labour): This is a federal jurisdiction, you know.

Mr. Shulman: Well, the province can take jurisdiction.

Hon. Mr. MacBeth: I am not so sure about that.

Interjection by an hon. member.

Mr. Speaker: Order, please. The member for High Park has the floor.

Mr. Shulman: All right, the minister says it is a federal jurisdiction. But he has the right to set labour standards in this province, and he can do that in a way to protect these men. The minister has the right to order a royal commission in this province to look into the violence that is taking place in this province. That comes under our Provincial Secretary for Justice (Mr. Welch), and I hope the Minister of Labour has his ear occasionally.

I tell the minister that if he doesn't do it, this scandal is going to continue, and sooner or later it is going to erupt. They are not going to be satisfied with just bribing Liberal politicians. They are going to try to get to the people in this government too; and with the kind of money that is available, they will, sooner or later.

Mr. E. Sargent (Grey-Bruce): They have done it in housing.

Mr. Shulman: Well, that is the sum and substance of it. I throw this ball to the Minister of Labour and to the Provincial Secretary for Justice, because this is something for which they have a responsibility. I have done all I can. I have exposed it. I think the police have done all they can. I think the press have done all they can. Now it is time for government to move; and when there is corruption at Ottawa we have to move here.

This is the final speech, the end of the five-part series of speeches I was giving on organized crime. I hope it has been a—

Mr. Gaunt: Maybe the member will be around next year.

Mr. Shulman: I don't think so.

I hope it has been of some value. I hope some good will come out of it. A great deal of work has been put into this by a lot of people who unfortunately I can't name. They have done it, for reasons of patriotism and feeling for this country and this province. They gave me the material. There was never any money changed hands at any time. They gave selflessly. I wish I could name them, but I thank them. I want to get it on the record that they have done this—many of them are police officers—and I hope that some good will come out of it.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, if that was an intimation of a swan song

from the member for High Park I would like to say, as a citizen of Ontario, that I hope his efforts on behalf of the people of this province will continue and I hope he will reconsider his decision to leave public life. I admire the man and his guts; he is a credit to politics, and I hope that he stays in the business.

But now is the time to unquo the status, as it were. In the past year we have had a great education—in America with Watergate and here with Hydrogate.

I really feel the people have an intuitive feeling that government needs looking into progressively, I feel that the more we have an informed public then the better chance we have for a good government.

I don't want to suggest that this is going to be a very profitable evening for any members listening to me. I look back to 12 or 13 years ago—a lot of us have white hair now—when the member for Kingston and the Islands (Mr. Apps) over there, the member for Yorkview (Mr. Young) and a few of us first came into the House. When anyone had a message or a chance to speak to the House, those benches were full over there. I think today is indicative of why this government will be replaced and why the polls last Saturday showed that the Tories had lost two-thirds of their support from the public. They are now down to 14 per cent of the public who want the Tories, while 44 per cent would like to see the Liberals, the official opposition, in power.

Mr. R. Haggerty (Welland South): They're not listening.

Mr. B. Newman (Windsor-Walkerville): There is no one there to listen.

Mr. Sargent: I think that is the reason, Mr. Speaker; we are speaking to ourselves and the opposition, as it were.

They have a bit of the rump down there. They're pretty faithful in attending, but I think it's disgraceful that there are only two cabinet ministers in the House tonight. There is no one in the front row. This is the reason I believe the Tories will get their come-uppance, as it were, come the next election.

Whether they hold it on Jan. 2, 1975, or in 1977, it doesn't matter a damn. They're going to get it. The scuttlebutt is out that the government is going to use the civil service strike as the election springboard; it's going to play the civil service against the people of Ontario; that's going to be its issue for the next election.

Mr. Haggerty: They tried it with the teachers.

Mr. Sargent: They tried it with the teachers but it boomeranged. Regardless, I would like to say, Mr. Speaker, it's a shame that for those of us who have a message in the opposition, after a lifetime of service in politics—

An hon. member: People die in here.

Mr. Sargent: —the government, the Premier (Mr. Davis) and the cabinet give us the back of their hand, as it were, and to hell with the democratic process. That's what it has come down to now.

I say this may not be a very profitable evening for any members listening to what I have to say, but they can do as the farmer did who paid $3 for a pig. He spent more on food until it became a hog and he sold it for $8. He didn't make any money but he had the company of the pig all summer. We have a bit of a mutual admiration society in the opposition that we can take a few whacks at the government here.

Talking about livestock, I want to say for the record that a lot of farmers out my way are going to lose between $30,000 and $50,000 this year on their beef, and that's pretty expensive company. At the feeder sales this fall beef brought about 28 cents. In the USA they're slaughtering cattle, and in Quebec too.

The Minister of Agriculture and Food (Mr. Stewart) is blaming the price of feed. He's probably right. The thing to do now is not to assess the blame but to provide interest-free loans similar to Saskatchewan and Alberta. If the farmers in Ontario decide to follow the Quebec producers, where some 2,000 of them have threatened to boycott, then we are in trouble.

The minister has gone as far as saying he will set up a loan fund, but he's charging the farmers of Ontario interest on it.

Mr. T. P. Reid (Rainy River): Plus one per cent over the bank rate.

Mr. Sargent: Plus one per cent over the bank rate, my colleague from Rainy River says. But in this free enterprise system we have today profit is the name of the game. In Canada the meat packers' year book just came out and it is quite a fairy story. This is the real profit in the food business. They had $2.5 billion in sales and the processing of 3.25 billion lb of meat and they are experiencing the biggest profit in history. They say in small print that their profit is 1.25 per

cent per sales dollar; I say that's a lot of baloney.

It reminds me of the school reunion where the Rolls-Royce drives up and the tycoon gets out. He's made a lot of money in gaskets and someone says to him: "How did you put together this million-dollar operation?" "It wasn't difficult," he says. "I sold them for five cents each and I found a contractor to make them for one cent—you can't beat that four per cent profit." That is the way Canada Packers set up their fairy story to the public of Canada.

Mr. R. Gisborn (Hamilton East): If the member takes on the capitalist system I will back him up.

Mr. Sargent: I am more convinced than ever, Mr. Speaker, that the farmer is the biggest gambler in the world. Anybody in the business world today knows the selling price before they start the operation. But in the agricultural industry there is no way. Many of our beef cattle people are driving their cattle to the market and taking what they can get for them because they can't afford to take them home to feed them. That is a fact. I'm further convinced that the farmer is the only man in our economy who pays retail price for everything that he buys, sells everything at wholesale and pays the freight both ways.

I'd like to suggest to you that the farmers deserve every penny they make. A man does not get up at 5 a.m., Mr. Speaker, just because he wants to socialize with his Holsteins. Do you realize that the farmer works a 12- to 16-hour day, 365 days a year, with no sick leave?

Mr. I. Deans (Wentworth): Mr. Speaker, on a point of order, if I may interrupt my friend—

Mr. Speaker: What is the point of order?

Mr. Deans: I would like to ask on whose authority it is that the doors of the building are locked.

Mr. Speaker: The doors to this building?

Mr. Deans: The doors to this building are locked. I want to know who gave authority for the doors to be locked, why the public are excluded from the building and what it is that is happening around here that results in this having occurred. I apologize to my colleague for interrupting him, but I find this most offensive.

Mr. Speaker: You have brought this to our attention. I'm sure your remarks will be listened to.

Mr. D. M. Deacon (York Centre): By whom?

Mr. Deans: On the same point, I don't know who will listen to them because there is nobody allowed in the building to hear them.

Mr. M. Shulman (High Park): When was it locked?

Mr. Deans: I would ask that you dispatch someone now to find out on whose authority it is that the doors of this building are locked. There is no justification for it. It is a rule of the House that the public be admitted to the building during the time that the House is in session. If there is some reason to believe we are in peril then I think we should be informed of it. If that isn't the case then I want the doors opened immediately.

Mr. Speaker: I'll ask the Clerk to make inquiries.

The member for Grey-Bruce.

Mr. H. Worton (Wellington South): It was the member for Grey-Bruce's speech, I bet.

Mr. Sargent: I didn't know I was that good.

Mr. Shulman: It is to keep out the SIU.

Mr. Sargent: We got the front row full over there now.

Mr. Stokes: That is why there are not many Tories over there—they can't get in.

Mr. Deans: I wouldn't be surprised.

Mr. Speaker: Order, please.

Mr. Sargent: I just want to get across the point that the consumer is a big focal point now—they were concerned about what the poor consumer has to pay for his food. It's about time the people in this country got down on their knees and gave thanks for the bountiful supply of food available to them in this country.

A farmer, as I said before, works a 12- to 16-hour day, 365 days a year, with no sick leave and no holidays; he does not even get Christmas Day off. In this industry, we are at the mercy of marketing boards, the auction block and the stock market. The wives and the children of farmers work their knuckles to the bone; they carry 50-lb bales of hay, lift 100-lb sacks of grain, clean up the manure, fight with the cows and calves and drive

tractors. All this labour is done without any pay to the farmer or his family for their time and effort. They face plague, disease, drought, floods, frost, parasites—

Mr. Haggerty: Hydro increases.

Mr. Sargent: —and devastation of animals or crops at any given time.

Mr. D. A. Evans (Simcoe Centre): It's a good job they have got hydro.

Mr. Sargent: Almost everything they need to run their business they buy at ripoff prices. And Hydro could do a hell of a lot better job than they are doing for the farmers too. I have trouble getting lines to farmers in the Bruce Peninsula, because it isn't economically profitable to Hydro. We'll talk about that some time.

Credit is extended to the fullest extent, and debt has become a way of life. Mortgage and bank loans weigh heavily on the shoulders of the farmer. Many farmers have to seek other part-time work to keep the operations viable.

Mr. Haggerty: That's where he puts in the other eight hours.

Mr. Sargent: The mood is one of discouragement and depression, now turning to anger and indignation. If equal rights and equal opportunity are not extended to the farmer, these revolutionary sparks will kindle and soon erupt into a roaring inferno. Mr. Speaker, I will develop this point later about the need for credit to the agri-industry.

I would like to say a few words about the farmers' land. At the outset, I firmly believe that Murray Gaunt is one of the best authorities in this regard, and I find that the federations across the province respect his opinion on land policy.

Mr. J. E. Bullbrook (Sarnia): The next Minister of Agricutlure.

Mr. Sargent: That's for sure. Underline that one.

An hon. member: The next Minister of Agriculture.

Mr. M. Gaunt (Huron-Bruce): I don't think I could ever get used to being driven around.

Mr. Speaker: I wonder if the hon. member would not name members by name.

Mr. Sargent: If Murray wants to heckle me, it is all right.

Mr. Speaker: Right. The hon. member has the floor.

Mr. Sargent: I believe that a farmer should own his own development rights, Mr. Speaker. He should not be denied the opportunity to split farms for development. Now, that is a basic tenet. More and more, across this province the farms are at the mercy of the land division committees. They are carrying out policies developed by eggheads who live in highrises in Toronto and Queen's Park. The executives who make these decisions have more power than all the Ehrlichmans and Haldemans in the White House.

In this field everything is in a state of chaos. I suggest at the outset that centralization of power is the death-blow of public freedom, and we have centralization of power now in the bureaucracy here. Through regional government, Mr. Speaker, the land can be frozen and land severances can be stopped—and the pattern of land severances across the province is a crazy one. For instance, some of the farmers in Peel are allowed four severances for 100 acres, some are allowed one for 100 acres, and most are allowed none at all.

To summarize this controversy, to give fair treatment to every farmer who wants to sell his land, I suggest that as a powerful motive to halt the steady erosion of food production in favour of housing pressure, the government should buy the agricultural land, if they deem it that valuable, then lease it to another farmer wishing to work the land.

Certainly, it is almost impossible now, Mr. Speaker, for anyone to buy a farm for farming. And this could well be the answer. Have the government buy up the land available and lease it. But in essence, every farmer should own his own development rights and not politicians nor commissions. In other words, a farmer's land should still be his pension.

As I said before, I agree with Balzac that bureaucracy is a great mechanism operated by pygmies. We're seeing it in full flight here today.

The great problem we find in our area today is to keep the young people interested in farming. Although the first thing, of course, in farming is to have a reasonably stable future and profitable prices, the important thing is the need for the greater sources of financing for relatively long term.

What I'm trying to say is this, that farming is a capital intensive industry with a low return on its capital. At present, long-term financing can be obtained from the Farm Credit Corp. but this usually only covers the cost of real estate. The farmer then must

turn to the chartered banks to finance implements and livestock. As you all know, most of the bank loans have a maximum term of five years at relatively high rates of interest.

We are the best beef area, Grey and Bruce, in all of Canada, and there is never any cash in the farm bank account. All farms are required to meet the short-term loan payments. Young people today are not willing to wait to retirement to do some of the things that their friends in the cities do. They don't want to be tied down seven days a week, 52 weeks a year on an indefinite basis. So, there is a great need to find some course of long-term credit for the present short-term loans.

That is a must today in this great industry. Because when the farmer is healthy, the economy is healthy.

I will talk a little about food. If you want to know how important this subject is, note that the portfolio is now called Food and Agriculture. All of us here think that basically we are solid, successful citizens—civilized people. Yet just 12 meals stand between you and savagery, Mr. Speaker. One day without food, and you would lie. Two days without food and you would steal. Three days without food and you would riot. Four days without food and you would kill. This is how important the weapon that the farmer has in his hands today.

We saw the power of the Federation of Agriculture when it brought the government to its knees on the 25 per cent educational tax; the government knuckled in and gave in to the federation. So the farmer has the greatest weapon in the world in his hands. If the farmer goes on strike, all hell is going to break loose.

Now, regarding the packing houses and how they control the market price. I recall a while back when I first came into the Legislature with plans to change the whole world. We were so decisive on how we were going to do things for our people. I used to study reports on how the packing houses could juggle prices in the different divisions across Canada. They had the whole economy like a yo-yo. They would hold off buying here and buying there and control the prices across Canada to the packing houses. Canada Packers is the biggest offender. I would suggest that Canada Packers has this government in its pocket because it gives so much to the government's election funds. I'll develop that later.

Regardless of this, they do control the market prices. There's an old saying: "If you can't beat them, join them." There's no way that the farmers of Ontario or Canada are going to join the packing houses, but the farmers can buy them out and take over. By having the farmers take over the packing houses the government could control food production in the interest of the consumers and the producers. The mechanics of such a takeover are not insurmountable.

When one thinks about it, the combined credit of all the farmers of Ontario, of their plant, their land, their equipment, is hundreds of billions of dollars. The wealthiest corporation in America today is not General Motors or anyone else; the wealthiest corporation is the co-operative farm corporation which has combined the assets of all the farmers of America and is making loans to farmers down there. That is the answer, I suggest, that the combined credit of the farmers of Ontario could take over the packing houses and then control the market place.

To me, this seems to be an out for my people in this field. They clearly have ample money to do the job which has to be done, and once and for all decide that D-Day—decision day—is here; not around the corner but here today.

I'd like to digress for a few moments and talk about the fiasco insofar as health care for my people in Owen Sound is concerned, Mr. Speaker. You recall that we have "no vacancy" signs in the hospital, and if the Premier of the province were to be in my area tonight and had a heart attack there would be no place for him in a hospital ward or room. He would have to take a bed in the hall. They built a new $4 million hospital down in Hanover. They call it the Hanover Hilton. The carpets are so thick you go up to your ankles in carpets there and the place is only half full. But that's understandable, because the House leader has the access to the moneybag there.

Mr. Speaker, my House leader advises me that the time is now to call for a quorum.

Mr. Speaker: Madam Clerk, would you take the count, please?

Clerk of the House: There are 19 members present.

Mr. Speaker: That is not a quorum.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: Would the Clerk again make a count to determine if there is a quorum present?

Clerk of the House: Yes, Mr. Speaker, There's a quorum present.

An hon. member: There is a Tory quorum present.

Mr. Sargent: Mr. Speaker, I had in the mail an invitation to go to the dinner-dance Friday, Nov. 15 at the Century Gardens in Brampton where the guests of honour were to be Bill and Kathy Davis.

Mr. J. M. Turner (Peterborough): That's over.

Mr. Sargent: It was $7.50 a person. This was sent out by the Peel North Provincial Progressive Conservative Association—not to me—on the franking privilege of the House.

Mr. Turner: Did they miss the member?

An hon. member: By whom?

Mr. Turner: He'd better clarify that.

Mr. Sargent: It was sent out by the Peel North Provincial Progressive Conservative Association. There's a picture of "Smiling Bill" here. It seems to me that anyone of us in this House must know that he can't do his constituency business, his party business, on the franking privilege of the House.

This man writes to me and says: "Dear Eddie, I thought you might be interested in this apparent improper use of the taxpayers' money."

Mr. B. Gilbertson (Algoma): Get on with the speech.

Mr. Sargent: We know that the Premier runs a bigger office than Pierre Trudeau, with 100 people in tow.

Interjections by hon. members.

An hon. member: The member woke them up.

Interjections by hon. members.

Mr. Sargent: They weren't all asleep then. They are awake, are they?

Mr. Turner: The member is doing his best to put them to sleep.

Interjections by hon. members.

Mr. Sargent: I don't know how far they can go when they milk the public, when they have 100 people working for the Premier and they are using the mail for this. The association must be broke when they have to have the taxpayers pay for their mail.

Mr. Bullbrook: The Speaker will look into it. He is very objective.

Mr. Sargent: Yes, that is right. Forgetting about the charade and about this whole operation here, I just want to underline the fact that in Owen Sound we are now arranging to put portable buildings on the lawn of the hospital for facilities. We are told that in five or 10 years we will get a new hospital in Owen Sound, but the thing is I would—

Mr. Bullbrook: It will be quicker than that.

Mr. Sargent: I think it will be quicker than that, but it just goes to show you the way that, geographically, the scales are tipped against non-government members.

Interjection by an hon. member.

Mr. Sargent: We have 300 to 400 patients now on the waiting list for elective surgery and over 150 waiting for urgent surgery in our hospital, and I would like to suggest that the Premier of this province should write a letter to these people and say that they live in a riding with a Liberal member and they are second-class citizens; because they do not get the same medical treatment that people do in Toronto or in Conservative ridings.

An hon. member: No wonder they are sick.

An hon. member: You've said it.

Mr. Sargent: If anyone in this House would have the stupidity to agree with this kind of treatment, I don't think he really realizes what he is doing.

The other night in this House, in talking to a former top employee of the Ontario Housing Corp. who was its chief land buyer, he told me that on Nov. 7, 1967, the motion in the meeting was to acquire 1,500 acres of land at $4,000 an acre, or $6 million, which was double the appraisal value of the appraisal people and the man in charge of the department. The $6 million figure went through and there was a $3 million overpayment. The member for Wentworth knows this story, because it's in the Saltfleet development. We have the copy of the purchase order in our file. The Minister of Housing (Mr. Irvine), Mr. Speaker—

Mr. Bullbrook: The real cancer of government, OHC, really.

Mr. Sargent: The minister in the debate last week said he would produce the files to prove that I was wrong. I was away on business last week when this came up for questioning in the estimates again; but my figure was right, because he says on page 5193 of Hansard: "Mr. Chairman, the appraisal report from Stewart, Young and Mason indicated: 'In my opinion, as of Sept. 30, 1967, the market value of the property is $3,350,000, or $2,135 per acre'." That is the report of the appraisal people, and at this point the minister owes me and the House an explanation of why $3 million more was paid.

Mr. Bullbrook: Right, right.

Mr. Sargent: Today I asked the minister by a note if he would furnish me with the file. He said: "No, the files are not available."

Mr. Bullbrook: OHC will bring the government down. It will bring them down.

Mr. Sargent: But this is only the start of what's going to happen in this cancerous department.

Mr. Speaker: Would the hon. member be able to sort of wind down his remarks at this time?

Mr. Sargent: I have much more to go, sir.

Mr. Speaker: Will you adjourn the debate then please?

Mr. Sargent moves the adjournment of the debate.

Motion agreed to.

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, before I move the adjournment of the House, I would like to inform the members that on Thursday we will deal with items 24, 25, 26, 27 and 28 on today's order paper; not necessarily in that order.

Mr. Deans: Mr. Speaker, before you put the motion to adjourn the House, I asked the Speaker in the chair about 20 minutes ago who gave authority to the Ontario Provincial Police to lock the building and to bar all persons from entry. Are you able to tell me that now, since you are the Speaker?

Mr. Speaker: No, I don't know anything about the building being locked. I am not aware that it is locked. I was consulted and I said that any demonstration must take place outside, that is all I know about it.

Mr. Deans: Might I bring, then, to your attention that all of the doors to the building are locked—the east and west doors, the front door and the back door. This requires that someone with a key open the door in order to allow members to come in and out. It also requires that the public be not admitted to the building. I want an investigation of this matter, so that there be an answer—

Interjections by hon. members.

Mr. Deans: I want to put it to you, Mr. Speaker, if I may, that it is a very serious matter when the public is barred entry to the Parliament Buildings, and it is not some frivolous thing. The whole purpose of this exercise is to allow the public to look in on the debate of the Legislature, and any person who is banned from entry to the Legislature must surely have committed some crime in order for that to be undertaken.

I object to the barracking from the back benches of the Tory Party.

Interjections by hon. members.

Mr. Speaker: Order, please. I just repeat what I said before. I was consulted and I said any demonstration must be outside. I think that has been past practice. There has been one exception to that, that I know of, but this is the general practice and this was my instruction. I know nothing about locking the doors but I will check and let you know.

Mr. Deacon: Mr. Speaker, I wish to speak to that point of order. I really do agree that the essential part of our democratic system is that people have access—

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Deacon: When people are not allowed to come in here and they have not committed any crime, we should not be sitting when the doors of this building are closed.

Mr. Turner: Don't distort the facts.

Mr. D. H. Morrow (Ottawa West): The member is out of order.

Mr. Deacon: I am not out of order.

Mr. Speaker: Are you finished? Thank you. That's the position as I see it right at the moment. I shall report back.

Mr. Deans: I would just like to rise on another point of order, if I may, related but not the same point.

This afternoon, sir, you ejected a member of this Legislature for barracking and interjecting. I suggest to you, you should have listened to what was going on during the time that I was speaking and during the time the member for York Centre was speaking.

Mr. Speaker: I am going to do that right away.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Bullbrook: Mr. Speaker, I want to rise on a point of order. I want to ask you something, if I may, sir. I want to know, as a matter of essential ingredient, if we may, sir: Is the public allowed in at any time? Do we evaluate whether the public will disturb the essential progress of the legislative process by knowing what it does outside? I think it is time we came to grips with this situation and I think the hon. member for Wentworth is very much concerned about this.

What I am concerned about more than anything else is that when we see Metropolitan Toronto police in the foyer downstairs—and I, for one, recognize the need to protect the persons and property of this assembly—I wonder whether some predisposition against a certain segment of society hasn't prevailed. I think this is what the member for Wentworth is concerned about, and my deputy leader is concerned about.

Mr. G. Nixon (Dovercourt): Oh, come on.

Mr. Bullbrook: I say this to you: How can we lock the doors ahead of time? Surely to goodness this is anathema to the very process that we are involved with, and I think the Speaker cannot slough us off, most respectfully, by saying he will look into it. The time has come that we must recognize that the public has the right, the inherent right, to come in and look at us.

Mr. Deans: One at a time or altogether.

Mr. Bullbrook: May I say this most respectfully? They must come in.

Mr. L. C. Henderson (Lambton): Let them come down to the member's office in the morning.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Bullbrook: If they conduct themselves untoward when they come in, then they must be disposed of with dispatch. But it bothers me, because a certain segment of society congregates outside, Mr. Speaker, and we begin with a predisposition and this is what we do.

Mr. G. Nixon: Sit down.

Interjections by hon. members.

Mr. Speaker: Order, please. There's no quarrel with the member's remarks, as far as I'm concerned. I will check into it. I wasn't aware that the doors were locked.

Mr. Morrow: Mr. Speaker, I would like to speak to the point of order.

Mr. Speaker: Just one moment, please. As far as I'm concerned, the doors are to let the public in as they always have been. An organized demonstration, I think, should be outside. As I said before, I will check into this as to why the doors are locked, because it wasn't my understanding until someone just mentioned it a moment ago. The public has had free access to this building, and some people think too free, but that's not for me to judge at the present time.

Mr. Sargent. It's their property.

Mr. Speaker: This is one of the matters, I might say, that is up for very serious discussion in line with what I understand is in the recent Camp report or the next Camp report, whichever it is. It was suggested that more serious consideration should be given to the security of this building and the people in it. There is not much we can do tonight in that regard and I won't repeat myself.

An hon. member: We don't agree with you.

Mr. Morrow: Mr. Speaker, I was speaking to the point of order. I wanted to say that I've been around this House for a good many years.

Mr. Bullbrook: A new point of order?

Mr. Morrow: I'm speaking to the point of order that was raised.

Mr. Bullbrook: He has ruled on the point of order.

Mr. Morrow: The member was on the point of order and I'm speaking to it.

Interjections by hon. members.

Mr. Morrow: I'm speaking to the point of order that the member for Sarnia was speaking to.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. R. D. Kennedy (Peel South): Except he didn't have one.

Mr. Morrow: Mr. Speaker, I'm speaking to the point of order that the hon. member raised. He raised a point of order.

An hon. member: Yes, but he didn't have one.

An hon. member. He didn't need one.

Mr. Speaker: I think we would appreciate the hon. member's comments, but that will be it.

Mr. Morrow: I only want to say this, that in the number of years that I've been here, as to the jurisdiction of this House as far as people coming in, they normally can come into this building when the House is sitting, which means the day and the evening. The House is under the jurisdiction of the Ministry of Government Services and the ministry has always been able to close the doors to any demonstration at any time of the day in which it wishes. The Speaker doesn't have any jurisdiction whatsoever over the House, whether the doors stay open or they're closed. It's strictly in the hands of Government Services. They have the authority to close them if they think that a demonstration is not right to be inside.

Mr. Bullbrook: Then may I say this before we rise? With respect, I very much appreciate the comments of the hon. member because of his experience. May I say I am diametrically opposed to a minister of the government unilaterally having the power to decide who comes into this chamber and who doesn't.

Interjections by hon. members.

Mr. Bullbrook: I say this to the members, that the Speaker of the House must have that responsibility and I hope we change those circumstances.

Mr. Speaker: Order, please. I think the hon. member's words might have some bearing.

Hon. Mrs. Birch moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:40 o'clock, p.m.

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No. 130



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Thursday, November 21, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m.

Prayers.

Mr. D. W. Ewen (Wentworth North): Mr. Speaker, in the absence of the member for Hamilton West (Mr. McNie) I would like, through you, sir, to introduce to the members of the Legislature a group of senior citizens from Hamilton West who are in the gallery today.

Mr. V. M. Singer (Downsview): Mr. Speaker, I would like to introduce to the House 80 grade 10 students from William Lyon Mackenzie Collegiate Institute—they are in the east and west galleries—and remark that this is the third group from William Lyon Mackenzie Collegiate Institute in Downsview that has visited us, and ask you to join with us to welcome these students.

Mr. J. Dukszta (Parkdale): Mr. Speaker, I would like to introduce 65 students from Parkdale Public School, with Mr. D'Oliveira and a couple of other teachers, who are sitting in the east gallery. I hope the members will welcome them.

Mr. Speaker: Statements by the ministry.

LONDON YOUTH DETENTION CENTRE

Hon. R. Welch (Provincial Secretary for Justice and Attorney General) Mr. Speaker, on Tuesday, Nov. 19, the hon. Leader of the Opposition raised a number of questions relating to the juvenile observation and detention facility at London. I think this perhaps would be a more appropriate place to make a more detailed reply, rather than taking up time in the question period.

Mr. R. F. Nixon (Leader of the Opposition): Good idea.

Hon. Mr. Welch: It is essential to my answer that we place this matter in perspective. Accordingly, I would like to review briefly the chronology leading up to the current events.

In 1968, as the House will recall, the Ministry of the Attorney General assumed the responsibility for over 300 physical facilities from the municipalities in this province relating to the administration of justice. Included in that number were three observation and detention homes in the cities of Hamilton, London and Ottawa. The observation and detention home in the city of Toronto had been assumed in 1966 under a special agreement with that municipality.

In order to establish a programme of priorities for the renovation and replacement of these many facilities, the ministry instituted a systematic review which documented certain inadequacies in these facilities. Insofar as the observation and detention homes were concerned, those in Hamilton and in London were identified as needing extensive renovation.

Between the years 1970 and 1972, minor repairs and renovations, including the installation of smoke detectors and other safety devices, were effected to the London home as an acknowledged temporary measure. In the fall of 1972, the ministry received government approval for the construction and leaseback of a new facility in London. Tenders on the matter were closed on Sept. 26, 1973, and a contract was awarded in October of that year. Regrettably, for financial reasons, the contractor withdrew from the contract late in January of this year. Since that time, I am advised that negotiations have been under way in an attempt to conclude alternative construction arrangements.

On Oct. 31, of this year, Mr. Speaker, I received the report of the county of Middlesex grand jury which was delivered on Oct. 23 to the judge of that court. In that report, this particular home was identified as old and crowded, with a lack of recreational facilities and surrounding grounds. The report drew attention to the need for repairs and recommended a fire inspection report, as well as indicating that in the view of the grand jury the premises were not suitable for human habitation.

As a result of this report, I directed an immediate inspection by the fire marshal and a review of the premises by the chief judge of the provincial court, family division. On Nov. 12, I received from His Honour Judge Genest a copy of the report of the fire chief

of the city of London, dated Nov. 7, 1974. That report concluded in summary that the facilities were not adequate for the present type of occupancy, and in case of a fire, escape from the building would be seriously hindered by the measures taken for security reasons. It also concluded that the construction of the building and its condition are conducive to fire spread and recommended a series of remedial alterations.

On the very next day, Nov. 13, I received a telegram from His Honour Judge Genest of London, in whose court jurisdiction the observation and detention home in question is found. I would like to read this particular telegram in full. I am now quoting from the telegram:

GRAND JURY CONDEMNS JUVENILE DETENTION HOME AS UNFIT FOR HUMAN HABITATION. MEDICAL OFFICER OF HEALTH RECOMMENDS SIX IMMEDIATE CHANGES AND FOUR EARLY ONES. FIRE CHIEF SAYS THE BUILDING IS A HAZARD TO THE LIFE AND SAFETY OF THE OCCUPANTS. CITIZENS' ADVISORY BOARD PASSED A MOTION YESTERDAY [which would be the 12th] CALLING FOR CLOSURE OF THE FACILITIES FORTHWITH. I URGENTLY SOLICIT YOUR ATTENTION TO THIS PROBLEM. JUDGE GENEST.

Acting on the obvious urgency of that message, Mr. Speaker, and with considerable concern for the "life and safety of the occupants" of the home, I instructed my officials to take immediate action in accordance with the tenor of that telegram to ensure that the occupants were placed in safer accommodation. Under the direction of the chief judge of the provincial court, family division, and in the company of the local child-care supervisors from the London court, these children were remanded to the closest available facility, which is in the city of Hamilton.

Having satisfied myself as to the safety of the lives of these children, which was my paramount, if not my only concern at that particular point in time, I then directed my officials to immediately explore in detail the alternatives available for local accommodation for these children. These alternatives were to include the feasibility of effecting the repairs outlined in the various reports which I had received, as well as seeking alternative interim accommodation.

It is the conclusion, Mr. Speaker, of my officials and other government and municipal representatives who have now looked at the situation that the remedial measures suggested by the fire chief are inadequate as an interim step in resolving this problem. They have concluded that the observation and detention home should be discontinued and a suitable alternative interim accommodation be sought. I approved this recommendation and arrangements are now under way, with the assistance of the advisory board—and I have a telegram from the chairman which I appreciate very much—for the provincial court of London to secure suitable accommodation at the earliest possible date in the city of London, pending construction of a new facility.

In conclusion, Mr. Speaker, I would like to add and emphasize that since the transfer of the young people from London to Hamilton daily communication has been maintained between the family court at London and the detention home at Hamilton. I would also point out that those child-care supervisors whom I referred to earlier from the London court have been added to the staff of the Hamilton court because of their knowledge of these particular juvenile cases, thereby ensuring continuity in the treatment and care of the London children at the Hamilton home.

Mr. Speaker: The Minister of Agriculture and Food.

CONSUMER APPOINTMENTS TO BOARDS

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I'd like to inform the members of the appointment of consumer representatives to the Milk Commission of Ontario and the Farm Products Marketing Board. Her Worship Mayor Robin Jefferey, Belleville, will become the fifth member of the Milk Commission and Mrs. Ruth Jackson of Kitchener, Ont., will become the consumer representative on the now six-member Farm Products Marketing Board.

Both Mrs. Jefferey and Mrs. Jackson come highly qualified for these very important positions. Born and raised in Elgin county, Mayor Jefferey received her early education in St. Thomas, Ont. After graduation from the MacDonald Institute, Ontario Agricultural College, in 1956 with an honours degree in household science, she taught for several years at Quinte Secondary School. Elected an alderman to Belleville council in 1967, she became mayor in 1972. On Nov. 12 of this year she was acclaimed mayor for another two-year term. She is presently a member of the Business and Professional Women's Club of Belleville, of the University Women's Club of Belleville and the Women's Investment Club of Belleville.

Mrs. Jackson, a native of Toronto, received her Bachelor of Arts in food chemistry

and her Master of Arts in public health nutrition from the University of Toronto. She was a charter member of the Kitchener-Waterloo District Consumers' Association of Canada (1957) and has since held several executive positions. She is currently president of the Consumers' Association of Canada, Ontario section, and teaches consumer economics and experimental foods on a part-time basis at the Conestoga College of Applied Arts and Technology.

Both appointments are for a two-year term. Mrs. Jefferey's is effective Nov. 1 of this year and Mrs. Jackson's becomes effective on Jan. 1, 1975.

Mr. Speaker: The Minister of Natural Resources.

LOGGING IN ALGONQUIN PARK

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, on Oct. 22, 1974, I tabled the Algonquin Park master plan and at that time I stated I would soon be introducing a bill to establish the Algonquin Forestry Authority. Later on today I propose to introduce a bill for that purpose.

Also today I will table a report entitled, "The Availability of Wood outside Algonquin Park to Satisfy Industrial Requirement," written by Mr. Pierpoint of the forest research branch of my ministry. Mr. Pierpoint, a research scientist of high repute, has made an objective analysis and assessment of alternative wood supplies for the mills now dependent on supplies from Algonquin Park. Specifically, the Pierpoint report examines the hypothesis that wood from a 50-mile zone around the park can satisfy the requirements of both the industry now dependent on wood in this zone and the industry now dependent on timber from the park.

At this time I wish to stress that I have reconsidered the need to harvest timber from Algonquin Park and I can reaffirm unequivocally that the 50-mile zone is not a feasible alternative source of supply for park-dependent mills for the following reasons:

Pierpoint's independent study confirms the earlier assessments made by my forest management staff that there is not enough high-quality material physically available in the zone to satisfy the particular requirements of the industries hitherto provided with veneer, sawlog, and pole quality timber from Algonquin Park.

Mr. J. A. Renwick (Riverdale): I just don't believe that. I don't believe it.

Mr. Speaker: Order, please.

Hon. Mr. Bernier: The industry of the region presently depends upon private woodlots for 40 per cent of its wood supply, but based on current trends in woodlot owner characteristics and attitudes, this source of supply is not secure and cannot be guaranteed for the future.

The large area covered by the 50-mile zone, the checkerboard pattern of private and Crown land, and the scattered nature of the excess Crown timber present serious operational and financial problems which limit the recovery of this wood.

Mr. Renwick: It is not worth taking up the time of the House to read that statement.

Mr. Speaker: Order, please.

Mr. Renwick: It is not worth taking up the time of the House to read that statement.

Mr. Speaker: I would ask the hon. members to refrain from interjections. The hon. minister will continue.

Mr. Renwick: I understand, Mr. Speaker, and I rise on a point of order—and if they turn my microphone off up there, I intend to have an inquiry made.

Mr. R. G. Eaton (Middlesex South): Has the member for Riverdale been drinking early today?

Mr. R. F. Nixon: It is one of those days, is it?

Hon. G. A. Kerr (Solicitor General): That is for interjections.

Mr. Speaker: I don't think the microphones are off.

Mr. Renwick: I am simply saying, Mr. Speaker, that I am not prepared to listen to that kind of a statement made in the House disguised as a ministerial statement, when it's an apologia related to a bill which he is going to present to the assembly, and he is trying to precondition it.

Mr. Speaker: Order, please.

Mr. Renwick: The ministers don't have an all-embracing right to make statements and the minister knows it and the Speaker knows it.

Mr. Speaker: The matter can be debated later. The minister has the right to make a statement.

Mr. M. Cassidy (Ottawa Centre): He is trying to get the first word in.

Hon. Mr. Bernier: Thank you, Mr. Speaker. I think it would be useful, Mr. Speaker, at this point to take a closer look at each of the four points that I have mentioned.

Mr. Renwick: This is an abuse of the procedures of this House, and he knows it.

Mr. Speaker: Order, please.

Hon. Mr. Bernier: The Pierpoint report shows that in the 50-mile zone there is more wood available than is currently being used, but this excess material does not include sufficient conifer sawlogs, poles and pulpwood, or hardwod veneer logs, sawlogs and poles to replace wood being harvested in the park. The deficit is, at the very least, over five million cu ft per year. This deficit is based on wood operations carried out during 1971-1972 and 1972-1973, two years in which woods operations were generally depressed. When one takes into account that the average annual cut in the park—

Mr. Renwick: This is an abuse of this Legislature. The Speaker should throw him out.

Mr. Eaton: The member for Riverdale is an abuse of the House. He's been drinking.

Mr. Speaker: Order, please.

Mr. Renwick: The minister should be thrown out of the House.

Mr. R. F. Nixon: What's the matter with the member for Riverdale?

Mr. Speaker: Shall we continue?

Hon. Mr. Bernier: Mr. Speaker, when one takes into account that the average annual cut in the park as set out in the master plan is considerably higher than the cut during the two years examined in detail by Pierpoint, a deficit of as much as 7.5 million cu ft emerges.

In attempting to support their claims that more than enough excess material is available, the proponents of the 50-mile zone concept have improperly used my ministry's calculated allowable cut data. The apparent cause of their misunderstanding, which I can appreciate—

Mr. Renwick: This is cheap.

Hon. Mr. Bernier: —is the forestry term "allowable cut"—and just what the term does and does not mean. First of all, "allowable cut" is defined as the volume of wood which may be cut under management during a given period.

When calculating allowable cut for an area, it is assumed that harvesting and manufacturing techniques and markets exist for all trees with a diameter of 3.6 in. or greater, regardless of tree species, form, and size. Thus, allowable cut is only a broad planning tool showing the maximum amount of fibre that could be harvested under ideal conditions. This is as it should be, because industry's ability to use trees of various qualities, sizes and species cannot help but vary depending on many social and economic factors.

Mr. S. Lewis (Scarborough West): He is on much weaker ground than I thought.

Hon. Mr. Bernier: In general, and in the particular case of Algonquin and the surrounding zone, markets and manufacturing techniques effectively limit the wood that the industry can actually use commercially to a volume significantly lower than what the allowable cut indicates.

I must say again that there is simply not sufficient usable material in the 50-mile zone to support both the industries dependent on the park and those dependent on the 50-mile zone.

Private woodlands supply: Approximately 44 per cent of the 50-mile zone is private land and the industry of the region is presently dependent on private landowners for 38 per cent of its sawlog and veneer and 45 per cent of its pulpwood. The traditional supply of private wood to the industry cannot be guaranteed for the future, as the province has little direct control of either wood allocation or forest management on private lands.

The characteristics of the private landowner and his attitudes have changed in the past 10 to 20 years and the trend appears to be toward owners who are uninterested in selling timber from their lands. A few statistics from a 1972 study by the government, entitled "Rural Lands and Landowners of Southern Ontario" illustrate the attitudes of private woodlot owners in southern Ontario toward timber supply.

1. Only 10 per cent of the woodlot owners stated that selling timber was the purpose of forest ownership;

2. Forty per cent of the woodlot owners have never undertaken any kind of woodlot activity such as planting, cutting, pruning, protection, etc.

Mr. J. E. Stokes (Thunder Bay): That's like saying the Woodlands Improvement Act is a total failure.

Mr. Speaker: Order, please.

Mr. Lewis: Is that part of the Pierpoint report?

Hon. Mr. Bernier: 3. Sixty per cent of woodlot owners have never sold any forest products.

Mr. Renwick: Give us the report, don't read it to us.

Mr. Speaker: Order, please.

Hon. Mr. Bernier: In addition to considering the absolute shortage of available quality material, it is useful to look at the 50-mile zone from an operational or industry standpoint. First, the 50-mile zone is extremely large in comparison with the present operating area of the park-dependent mills. It is five to six times the size of the park and—

Mr. Renwick: Mr. Speaker, this is an abuse of the procedures of the House.

Hon. A. Grossman (Provincial Secretary for Resources Development): It is not; it is a statement.

Mr. Renwick: It is not a statement at all; it is an abuse of the procedures of the House

Mr. Eaton: He's been drinking. Throw him out.

Hon. Mr. Bernier: It is five to six times the size of the park—

Mr. Speaker: Order, please. Is the statement finished?

Mr. Lewis: Mr. Speaker, on a point of order—

Hon. Mr. Bernier: Those in attendance will view the members' actions, Mr. Speaker.

Mr. Speaker: Order, please. The member for Scarborough West.

Mr. Lewis: I do want to make this point to you respectfully, sir, that it is one thing to table a report in the House and to draw attention to its contents; it is another thing to use the Legislature before question period, through ministerial statements, to reply politically to a statement which was originally made in June, 1974, some considerable time ago. That is not an appropriate use of the ministerial statement. That should be reserved for the debate on the bill; otherwise you abuse the rules of the House.

Mr. Renwick: It is totally abusive.

Mr. Speaker: Order, please. It is my understanding—and I must confess I am not familiar with the material and the report you are talking about—that it was a statement preliminary to introducing a report, which has to be done now. The statement has to be made now rather than when the report is tabled.

Mr. Cassidy: The statement is longer than the report, Mr. Speaker.

Hon. Mr. Bernier: Mr. Speaker, we wanted to approach it this way because we wanted to give all the members of the opposition all the information that we have in order to make the debate very meaningful.

Mr. Renwick: Give us the report and tell us the study was being made.

Hon. Mr. Bernier: Furthermore, the checkerboard pattern of ownership and scattered nature of the excess Crown timber would cause the park-dependent mills to experience prohibitive wood procurement and access problems, inefficiencies in logging operations and increased hauling costs.

There are over 140 primary wood-using mills in the 50-mile zone and others outside the zone that depend on this area for their wood supply. As well as these mills, the mills that are dependent on the park also rely on this 50-mile zone for a large percentage of their total mill requirement.

The viability and the competitiveness of all these mills must be protected, and to do this I must be able to provide a continuing supply of timber within a reasonable proximity of these mills. The greatest part of the zone is already committed to the industry in the form of Crown timber licences and volume agreements. In addition to existing licences and volume agreements the excess quality wood reported in the Pierpoint report is essential to allow for fluctuations in the year-to-year wood requirements of the industry and to provide for an anticipated increased dependence on Crown timber in the total industrial supply due to changing attitudes on the part of private landowners. As evidence of the total commitment of Crown timber in the zone, new mills and major mill expansions in the area have been limited to those mills

that require only the lowest grade of wood or those that are replacing existing capacity.

In conclusion, while the shortage of suitable raw material and the operational problems in the outside zone tend to rule against its consideration as an alternative source of supply, I would like to mention the future direction of the Algonquin Forestry Authority with regard to wood supply in the park. The authority will be holding the companies to their present cut levels in the park. It will operate in such a way as to improve utilization in the park so that wood requirements of the dependent mills are met with fewer trees being cut. Through such efforts of the Algonquin Forestry Authority and the continued programmes of the Ministry of Natural Resources the government will help ensure the continuing economic and social stability of the Algonquin region and the recreational values for which Algonquin Park has become world famous.

Mr. Cassidy: This is a sellout.

Mr. Speaker: The Minister of Health.

Mr. Cassidy: On a point of order, Mr. Speaker, if the privileges of the House are to permit ministerial statements like that, then I would ask very seriously of you, if opposition members are to be restricted from interjections, that the two opposition parties be given the opportunity to respond at the time of the ministerial statement rather than at some future date.

Mr. Speaker: This is a statement, as you said, by the ministry, before the orders of the day, which is quite in order. There will be opportunity, I am sure, to debate this at a later date. I can't rule on the body of the statement.

Mr. Renwick: But that is not a licence; it is an abuse.

Mr. I. Deans (Wentworth): On a point of order, might I ask whether there is any possibility that there will be a House committee to study the recommendations of Camp, which included a recommendation that there be an opportunity for opposition spokesmen to respond to ministerial statements briefly?

Mr. Lewis: That's right.

Mr. Singer: It is not the Speaker's responsibility.

Mr. Renwick: It is the Speaker's report.

Mr. Deans: It's the Speaker's responsibility.

Mr. Speaker: I can't answer that question at the present time.

Mr. Cassidy: To conclude the point of order, Mr. Speaker, anticipating what may happen over the coming months, may I just say that the level of frustration experienced by this side of the House, if we simply have to sit here quietly while this kind of statement comes day after day after day, will be intolerable, and I urge that changes be made in the procedure.

Interjections by hon. members.

Mr. Speaker: Order, please. The Speaker has noted a bit of frustration on all sides of the House and the quality of debate isn't always the best, so I have no further comments on that.

The Minister of Health has a statement.

Mr. Renwick: Keep it short.

REPORTS ON LEAD POLLUTION

Hon. F. S. Miller (Minister of Health): Mr. Speaker, later in the day, at the proper time, I will be tabling the report of the committee established to inquire into and report upon the effect on human health of lead from the environment.

I am pleased to welcome on your behalf the three members of that committee, who are with us today in the gallery, on the west side under the Speaker's gallery—Drs. Robertson, Chant and DeMarco.

The hon. members will know that this report represents one facet of our approach to gaining more information on this subject, in order to enable the government to effect an integrated approach to health concerns, working conditions and the environment. This report is one of two documents, the other being the report of the working committee on lead, which was received by the Ministry of the Environment about a month ago.

As of today, both documents are public. In order to assist the government in developing an integrated response to the question of lead pollution and lead ingestion, the Environmental Hearing Board will now deal with both papers and will invite briefs from the public. My understanding is that hearings will commence shortly.

I would like to publicly thank Dr. Rocke Robertson, Dr. Donald Chant and Dr. Frank DeMarco and their staff for the expenditure

of time and energy that obviously went into compiling this report. I think it is a milestone document in a number of ways.

First, it is in my opinion the foremost paper now available in Ontario dealing with the effect on health of lead from the environment. I would think that this report will be read with great interest by other jurisdictions that are as concerned with this problem as we are.

Secondly, and this is of equal importance, the report does much to strip away the emotionalism that has surrounded this very controversial issue. The report deals in facts and figures. It will assist greatly in placing the real concern about lead pollution in a perspective which should allow rational approaches to everyone's wish that a proper resolution be forthcoming as quickly as possible.

Mr. Speaker, the report makes excellent reading. We are giving it wide distribution to those who are interested and involved in this issue and I commend it to the members of this Legislature.

Mr. Speaker: Oral questions.

REPORTS ON LEAD POLLUTION

Mr. R. F. Nixon: Mr. Speaker, I would like to ask the Minister of Health a question, further to his statement just delivered. Has he himself read the report and, if so, has he consulted with his colleagues about the immediate introduction of legislation which will reduce lead emissions from automobiles, which is called to particular attention in the recommendation section?

Hon. Mr. Miller: Mr. Speaker, I have read the report completely. I had a press interview in camera before the question period and this question was raised.

Mr. Lewis: A what?

Mr. Renwick: A press interview in camera?

Hon. Mr. Miller: In camera.

Mr. Renwick: That's fine. Which members of the press attended that one in the interests of the public?

Hon. Mr Miller: All were invited.

Mr. Renwick: A press conference in camera?

Mr. Speaker: Order, please.

Hon. Mr. Miller: The issue is one that really passes any provincial boundary and we will do our utmost to see that legislation—

Mr. Renwick: That is a breach of the privileges of the House, Mr. Speaker.

Hon. Mr. Miller: —is introduced encouraging or insisting upon the use of non-leaded fuels or other means of removing lead from automobile exhaust emissions.

Mr. Renwick: The minister is destroying the system and he knows it.

Mr. R. F. Nixon: I have a question of the Attorney General.

Mr. Lewis: No, I have a supplementary, if I may.

Mr. Speaker: A supplementary. The member for Scarborough West.

Mr. Lewis: I just want to understand the processes here. My office called Dr. Rocke Robertson this morning and was told we couldn't have the report. We called the Ministry of Health and were told we couldn't have the report until it was tabled in the House. How is it that members of the Legislature cannot have a report simultaneous with, or even perhaps in advance of, an in camera press interview held by this ministry? How does that happen?

Mr. Renwick: And which members of the media attended?

Hon. Mr. Miller: Mr. Speaker, to the best of my knowledge all members of the media were invited and they were asked to stay in the room until the bells rang at 2 o'clock. This procedure I understand has been acceptable in the past.

Mr. Renwick: What are we supposed to do?

Mr. Deans: How do we know—

Hon. Mr. Grossman: Come out fighting.

Mr. R. F. Nixon: I have a question of the Attorney General.

Mr. Lewis. I have a supplementary if I may.

Mr. Speaker. The member for Scarborough West.

Mr. Renwick. This is destructive of the processes of the assembly and the minister knows it—and the member for St. Andrew-

St. Patrick can smile as much as he wants—they are destroying it.

Mr. Speaker. Order please.

Hon. Mr. Kerr: The member is an embarassment to his leader; he is trying to speak.

Mr. Lewis: Mr. Speaker, again on a point of order, I really appeal to you to evaluate what is being done to the Legislature by the government.

Mr. Renwick: That's right.

Mr. Lewis: Even in the budget papers, Mr. Speaker, prior to the introduction of the budget, members of the opposition and research staff are invited and allowed to attend. I suggest to you, sir, that it is wrong to deny members of the opposition access to reports in advance of their being tabled in the House, expect us to make comment on them and yet—

Mr. Deans: They don't want us to make comments.

Mr. Lewis: —take the opportunity to hold press conferences in advance which are in camera and not shared. That seems to me an abuse of the legislative process.

Mr. J. F. Foulds (Port Arthur): Further to that point of order, Mr. Speaker, I might just underline that the minister has revealed that the press was released as soon as the bells rang for the House to open. The minister did not make his statement to the members of the Legislature until 2:25 p.m. There is at least a 25-minute time lag there.

Mr. Speaker: I'll take into consideration the comments of the members. I know it does happen occasionally that ministers have released to press conferences—

Mr. Lewis: By all means have a press conference, but share the information with us.

Mr. Speaker: I'll have to take that up; I'm just not sure of the procedure.

Mr. Renwick: Mr. Speaker, by way of a supplementary question, what does the report say about the removal of the topsoil within a radius of a quarter-mile of the Canada Metals plant? Does it say anything and what does it say? If it says anything, what is the government going to do about it?

Hon. Mr. Miller: Mr. Speaker, first of all the purpose of this report was not to discuss that kind of problem.

An hon. member: Why not?

Hon. Mr. Miller. It was the effect of lead—

Mr. Renwick: Of course not, that's where the problem originated.

Mr. Speaker: Order, please.

Hon. Mr. Miller: Look, I'm answering the member's question; please give me the time to do it.

Mr. Renwick: The minister is not answering. He is saying the report didn't deal with it.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Miller: This group had a specific duty and that duty was to determine the effect of lead from the environment on human health, regardless of its origin. The other report covered the more general thing that the member is talking about and made specific recommendations—the task force report. This report endorses the recommendation of the task force report, if the member would like to know that.

Mr. Lewis: Do I take it, by way of supplementary, that the ministry is now therefore launched into a series of public hearings under the Environmental Hearing Board based on the two working documents, and that in fact no legislation—

Mr. Speaker: Order please, that's a new question which the member is putting.

Mr. Lewis: No, it is not a new question. It flows directly from the report. It is part of the recommendation. I'd like to know whether that is the minister's process.

Mr. Speaker: It is an entirely different approach to it, so it could be a new question, with all respect.

Mr. Lewis: All right.

Mr. R. F. Nixon: Are you all straightened out?

Mr. Speaker: Yes. The Leader of the Opposition.

LONDON YOUTH DETENTION CENTRE

Mr. R. F. Nixon: I'd like to ask a question of the Attorney General. In light of his statement on the removal of the young people from the London centre, can he explain why

family court Judge Genest did not feel he could obey the direct instruction from the Attorney General's ministry and evacuate the young people as per the procedure that was dictated to him?

Hon. Mr. Welch: Mr. Speaker, to be very fair, I haven't the slightest idea why Judge Genest had that view. I find in some circumstances it is strange for Judge Genest to send me a telegram, the contents of which I read in the House, impressing upon me the urgency of the matter and then being critical at all of me in taking action on that on the basis of the advice. I would rather stand in this House today and be criticized for acting as quickly as I did, rather than standing up announcing an inquest, I can tell you that, Mr. Speaker.

Mr. R. F. Nixon: Supplementary question: Has the minister or one of his officials consulted with Judge Genest as to the other aspects of the welfare of the young people who were bundled into a paddywagon and taken to Hamilton under circumstances which he, as the family court judge responsible for putting them in there in the first place, simply found unconscionable?

Hon. Mr. Welch: Mr. Speaker, all the steps which I took as the Attorney General were done in consultation with the chief judge of the provincial court, family division.

Mr. R. F. Nixon: Supplementary: I wonder if the minister would further explain why it was necessary to withdraw from the commitment to build a new facility in 1972 simply because, as he said, the person who got the contract got into financial difficulties? It is apparent that the company was making regular reports to the companies branch as recently as March 6, 1974. It is certainly not out of business. Was it not, in fact, the minister's decision to seek a way out so that he would not have to go forward with the building of a new facility?

Hon. Mr. Welch: I think, Mr. Speaker, that question might be better directed to the Minister of Government Services.

Mr. R. F. Nixon: What about it?

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, as has been stated, government approval was received for the building of this facility on a leaseback basis. Tenders were called and several bids were received for the leasing of the building to the government. Under this proposal certain guidelines are given for the building, and then the successful contractor is asked to proceed with the design of the building.

Obviously, this company made a serious error or underestimate in its proposal, and after further investigation withdrew its proposal for the construction of this building. On my recommendation at that time, the building was changed from a leaseback project to a capital project and our own architects were engaged to design the building. That design was completed a few weeks ago, and I am pleased to report, Mr. Speaker, that as of today the tenders have been called for the construction of the building.

Mr. R. F. Nixon: Can the minister indicate then that the government had nothing to do with the original design of the building that it was prepared to buy on a leaseback basis?

Hon. Mr. Snow: As I stated—I thought quite plainly—Mr. Speaker, the government gives certain criteria and preliminary sketches of the building that is to be required, but the detailed design is the responsibility of the bidder.

Mr. Singer: By way of supplementary, in view of what the minister has said, can he explain why Peter G. Stonehouse of the project management branch of his department would have written a memorandum, dated April 24, wherein he states that the developer had been allowed to withdraw and that it is expected the project will be tendered by mid-July—this is mid-November apparently, when the tenders are being asked—and that the Attorney General gave the same information in a letter he wrote on May 2? If this project has been so urgent, why has the information contained in these letters and memoranda been ignored? And why has it taken so long to get the project under way?

Hon. Mr. Snow: Mr. Speaker, the architect was engaged last spring to do the complete detailed working drawings. The working drawings were completed at the end of July. At that time a report was made to Management Board that the project was ready to proceed to tender. The project has been considered, along with other priorities, for the capital programme of the ministry, and it was just this week, Mr. Speaker, that approval was given at Management Board to proceed with the tendering.

Mr. Singer: Oh, that's why the member for London North (Mr. Walker) said it wasn't going to be built this year or next year.

Mr. Speaker: The hon. Leader of the Opposition.

SOUTH MILTON DEVELOPMENT

Mr. R. F. Nixon: I would like to ask the Minister of Housing if he can now present to us the information on his negotiations with Gibson Willoughby, including how much he paid them for the advice that he received as minister in charge of Ontario Housing Corp. regarding the values of certain lands purchased? If he cannot put this material on the table—and it has now been a week since it was asked for—is he prepared to have an outside investigation into the business practices of Ontario housing Corp., which comes under his jurisdiction?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I indicated to the House several times, I believe, that I would be preparing a detailed statement and would be tabling the required information relevant to the transactions. One thing that has assisted me is the fact that the member for Downsview and the press have given us some relevant information.

Mr. Singer: I've got some more.

Mr. Renwick: Come off it.

Hon. Mr. Irvine: We want to make sure that—

Mr. R. F. Nixon: More every day; every day.

Hon. Mr. Irvine: We want to make sure that the member for Downsview—

Mr. Renwick: The Minister of Housing makes the statement when he wants to make it, and not when it is in the interest of the public, as does the Minister of Natural Resources.

Mr. Foulds: This is a government shrouded in secrecy.

Mr. Speaker: Order, please.

Hon. Mr. Irvine: —didn't forget any of the pertinent information; and I am going to make sure that the statement is detailed in every aspect. Now, as to the question which the hon. member asked a minute ago—

Mr. Renwick: The minister won't make announcements on public business when they are required—and that's his obligation.

Hon. Mr. Irvine: The hon. Leader of the Opposition has to understand that I will include, as I said before, how much the fees were to the firm of Gibson Willoughby. I have been meeting with our staff and with the firm—

Mr. A. J. Roy: (Ottawa East): And the lawyers.

Hon. Mr. Irvine: What lawyers?

Mr. Singer: Holden and Ford.

Hon. Mr. Irvine: I will give all the detailed information necessary, in my opinion—

Mr. Renwick: Don't qualify it. Don't qualify it.

Hon. Mr. Irvine: —to make sure that the people of Ontario understand the full transaction. Even though the opposition can't understand it, the people of Ontario will understand it.

An hon. member: That's right.

Mr. Cassidy: In 1976.

Mr. Lewis: That's why the Conservatives are losing—

Mr. R. F. Nixon: A supplementary: Since seven specific cases were put before him a week ago, does the minister not believe that the people of Ontario, as well as the members of the Legislature, are wondering why the specific questions cannot be answered by now? And is he, in fact, fabricating some kind of a justification?

Mr. E. R. Good (Waterloo North): He's blushing red.

Mr. Cassidy: I was wondering about that million dollars.

Hon. Mr. Irvine: Mr. Speaker, I noticed the other day that the member for Downsview said that there is some misbelief now because I hadn't prepared the statements as quickly as he would like. The Leader of the Opposition is trying to say the same thing—

Mr. R. F. Nixon: It is not the same thing; it is information that should be within the competence of the minister's department.

Mr. Lewis: The minister should have had it within 24 hours. It should not have taken a week.

Mr. Renwick: It is the minister's obligation to respond to questions.

Hon. Mr. Irvine: I want to say again that I will bring the statement forward in my time, when I have it correct—and I won't bring it forth as misleading as the statements that

have been made by some members of this House.

Mr. R. F. Nixon: Misleading?

Mr. Cassidy: The minister is trying to cook up an answer.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. R. F. Nixon: Is the minister not aware that that information was simply excerpted from what is publicly available in the registry offices and from no other source? How can that be misleading? It's factual. We need more facts from the minister.

Mr. Roy: It is embarrassing, but it's not misleading.

Interjections by hon. members.

Hon. Mr. Irvine: Mr. Speaker, the Leader of the Opposition is a bit impatient—

Mr. R. F. Nixon: Well, why wouldn't we be? We have worked a week.

Mr. Lewis: Impatient? It should have taken 24 hours.

Hon. Mr. Irvine: —but, in any event, he will have to be impatient, because I am going to make sure that when I bring the facts forward, even he can understand it.

Mr. Lewis: The minister is making sure he cooks the books. That's what he is doing.

Mr. Speaker: Order, please.

Mr. R. F. Nixon: We should have a royal commission within six weeks.

Mr. Roy: The minister should be embarrassed.

Mr. Lewis: A supplementary: When the minister tables the information—

Mr. Renwick: If he tables it—

Mr. Lewis: Yes, when and if he tables the information, can he indicate to the Legislature whether there is a single other case in the province of a real estate company which he has engaged to deal in this fashion with the Ontario Housing Corp. other than Gibson Willoughby?

Hon. Mr. Irvine: I will take the question as notice and I will include that in my statement.

Mr. R. F. Nixon: Answer it next week.

Mr. Speaker: A final supplementary. The member for Downsiview.

Mr. Singer: When the minister does emerge with his statement, or gives birth to it, could he deal particularly with this case, which is a transaction where Robert Phillip Stewart and Louis Isobel Knox conveyed land eventually to Holden and Ford, government nominees, for some 92.9 acres of land situated in lot 7, concession 8, new survey, which land had been offered to Gibson Willoughby and Ontario Housing in the early fall of last year—and they didn't even have the courtesy to answer those offers—at a price some $2,000 an acre less than the nominees eventually paid for it, with speculators getting in the middle and taking advantage of the profit that the government eventually had to pay and shouldn't in fact have paid?

Hon. Mr. Irvine: Mr. Speaker, again this goes back to the original debate we had. I don't think we have to dwell too much longer on this, but let me say again that the member for Downsview knows full well that in the latter part of 1973 and in the early months of 1974, land prices were escalating all over Ontario, especially in certain urbanized areas—

Mr. Singer: Oh yes, and the minister did it.

Mrs. M. Campbell (St. George): This fellow did it.

Mr. Roy: Not by $200,000 in 30 days.

Hon. Mr. Irvine: I want to say to the hon. member for Downsview that he has been in the business of dealing in transacations similar to this for many years. He knows full well that if we hadn't come in with the land speculation tax, the prices would still be rising—

Mr. R. F. Ruston (Essex-Kent): The government is doing it now.

Interjections by hon. members.

Hon. Mr. Irvine: I think it is time that he recognized that there is a difference between the values in 1968—

Mr. Singer: There is evidence of very recent sales of the same properties for much less than the government paid for them. Why wouldn't the government buy them at $2,000 less?

Hon. Mr. Irvine: —the values in 1970 and today's values.

Mr. Singer: Well, no, this was the 1973 value. The minister didn't even answer me.

Hon. S. B. Handleman (Minister without Portfolio): The government hadn't decided it wanted the land.

Mr. Cassidy: There is the vaunted reduction in prices.

Hon. Mr. Irvine: I want also to say to the member that when I make a statement, I think he can understand the full ramifications of it all.

Mr. Lewis: The minister may never make it. He may be transferred from the ministry by then.

Hon. Mr. Irvine: Don't worry about that.

Mr. Speaker: Are there any further questions? The hon. member for Scarborough West.

REPORTS ON LEAD POLLUTION

Mr. Lewis: I have a question of the Minister of Health. Do I understand after the tabling of the Rocke Robertson report that what we are now engaged in is a series of public hearings associated with the two working documents but with no legislative initiatives in advance based on those documents?

Hon. Mr. Miller: Mr. Speaker, I don't know that the hearings preclude any legislative changes. The Minister of the Environment (Mr. W. Newman), as the member will recall, was the one who ordered the hearings a while back. He asked me whether this report would be available in time to be used. I assured him it would be. That's one of the reasons we hurried its publication through. There are two areas on which action can be taken: the legislative, more importantly, at the plant or community level to alleviate the problems. I would like to think that there wasn't a static state at the industrial level, and I am assured there isn't at this point in time. It's just that it is not likely that legislative changes per se will occur until Christmas.

Mr. Lewis: I have some very specific supplementaries. Will the government move instantly to support the city of Toronto in its effort to have the topsoil removed and changed in order to eliminate the existing health hazard outside the plant? Will the minister undertake what is suggested in the report itself, in a less than ideal situation, a cost analysis study to determine whether abatement could be achieved to bring levels to acceptable objectives, or whether the plant should be moved to a location which is acceptable?

Hon. Mr. Miller: On the first question, I really am unable to answer whether the government, because it will be a government position, will be assisting. I will discuss that with other ministers.

On the second one, certainly cost benefit studies are going to have to be made. I think Dr. Robertson, on being asked a similar question, aptly phrased it: "When appropriate measures have been taken and we still find a health hazard caused by a factory, at that point in time housing and the factory will be incompatible." Either we have to find some way of removing people from that area or the polluter.

Mr. E. J. Bounsall (Windsor West): Supplementary.

Mr. Speaker: One supplementary, yes.

Mr. Bounsall: Has the minister discussed with his colleagues in the cabinet the offering of low interest or forgivable loans to those offending companies to aid in abatement and achieving the low standard of emission so that workers would not be displaced from their jobs?

Hon. Mr. Miller: Mr. Speaker, I don't know whether they are necessary yet in view of the factories involved, but certainly it would seem to be a worthwhile means of accomplishing our end if that were necessary.

Mr. Speaker: The member for Scarborough West.

LOGGING IN ALGONQUIN PARK

Mr. Lewis: I have a question of the Minister of Natural Resources. The apologia which masqueraded as a report which he read at the outset of this session, was that a report, did he say, done by a member of the staff of his ministry or was it done by an independent forester associated, let us say, with the Ontario Forestry Association?

Hon. Mr. Bernier: No, Mr. Speaker. That was done by a member of my ministry and the biographical data on both the gentlemen involved is included in the report.

Mr. Lewis: By way of supplementary, doesn't the minister think, since the object of controversy was the figures provided by his own ministry, that when dealing with something as important as logging inside or

outside Algonquin Park, there should be an independent survey made of the potential in the 50-mile radius, rather than a self-serving survey to justify the ministry's own figures?

Hon. Mr. Bernier: Mr. Speaker, I think I made this very, very clear in my statement earlier today that the figures given the member for Scarborough West were misinterpreted. I thought it was only fair, prior to the introduction of a bill, that I would present to him all the facts and the proper methods of arriving at the figures to which he referred and which he misconstrued.

Mr. Lewis: I don't think they were misinterpreted.

Mr. Foulds: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Foulds: Is the minister saying that the term "allowable cut" which was out so much, according to his latest statement, is equally inaccurate in allowable cut throughout the province?

Hon. Mr. Bernier: No, Mr. Speaker. There is no reference to what the allowable cut is across the province in this statement at all.

Mr. Speaker: The member for Scarborough West, further questions?

SEAFARERS' INTERNATIONAL UNION

Mr. Lewis: A question of the Attorney General: Does the Attorney General intend to pursue by way of investigation the facts which were put to the Legislature by the member for High Park (Mr. Shulman) regarding the behaviour of the SIU?

Hon. Mr. Welch: Mr. Speaker, this is a matter currently under police investigation. The question would be best directed to the Solicitor General, who could respond to that question.

Mr. Lewis: May I redirect to the Solicitor General? Is it his intention to pursue this by way of a commission of inquiry, given what has been presented and what may yet emerge?

Hon. Mr. Kerr: Mr. Speaker, this matter has been under investigation now for a number of months by the Ontario Provincial Police. We have attempted to lay charges; one charge has been laid as a result of an assault on one of the seamen. The problem is that some of the seamen are reluctant to come forward because of threats made to their lives if they do lay charges.

However, the investigation is going on. We must remember that this involves an international waterway with seamen from both shores, involving at least two provinces and a number of states. Therefore, we feel that if there should be an inquiry, it should be at the federal level. It's been suggested in my conversations with the Attorney General that we ask the federal Minister of Labour to reconvene the commission inquiry under the federal labour code, which really was never terminated—because they can't find Banks—and in this way again investigate the operations of this union.

Mr. M. Shulman (High Park): Supplementary: Provided that the federal Minister of Labour shows no enthusiasm for this particular project, is the Solicitor General prepared to take any action at the provincial level?

Mr. Lewis: The federal Minister of Labour may be showing little enthusiasm in a while.

Hon. Mr. Kerr: This is rather a hypothetical question. I am hoping that the Minister of Labour will co-operate. I think he will, particularly when he has a complete police report on this investigation.

Mr. Speaker: Any further questions?

Mr. Lewis: No further questions, Mr. Speaker.

Mr. Speaker: The member for Ottawa East.

SEX CHANGE DATA

Mr. Roy: Mr. Speaker, a question of the Minister of Consumer and Commercial Relations: Why will the minister not allow an amendment to the Vital Statistics Act to allow people to make amendments on their birth certificate after they have undergone a sex change operation?

An hon. member: How unfair can one get?

Mr. Stokes: He is setting the minister up again.

Mr. Roy: And the minister, with that beard, shouldn't make any smart remarks.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, I was going to give an answer to that question—

Interjections by hon. members.

Hon. Mr. Clement: –but I don't think I'll give it in the form that originally had popped into my mind.

I have not objected to that; if the member has any particular problem he'd like to discuss with me in private.

Mr. Roy: I said, with that beard no smart comments.

Hon. Mr. Clement: I am advised, Mr. Speaker, that there is an international set of standards that applies for the gathering of vital statistics and the information that a bureau or an agency gathering statistics is to use. I understand the matter that the hon. member has referred to has been the subject of discussion at a fairly recent conference, because, rightly or otherwise, we have had a couple of requests when somebody wanted to change his name from George to Becky, or something like that. But I must confess that I have developed no particular philosophy on it and I am waiting to see what–

Mr. Roy: Sit down; I have a couple of supplementaries.

Hon. Mr. Clement: –the international conference is about to decide on it when it makes its views known.

Mr. Speaker: One supplementary.

Mr. Roy: Yes, one supplementary, at least, Mr. Speaker.

Mr. Speaker: You'd better ask them all at once.

Mr. R. K. McNeil (Elgin): This is of national importance.

Mr. R. M. Johnston (St. Catharines): Oh, come on.

Mr. Roy: I'd like to ask the minister why he is showing so much reluctance on this, when the person involved–it was brought to the attention of the ministry–was probably the first person in Canada to have his sex changed from female to male and succeeded in getting her–or his, now–driver's licence changed, social security number changed, as well as OHIP; and not her birth certificate, or not his birth certificate.

Hon. Mr. Clement: Well I think one must look at the difference.

Hon. W. D. McKeough (Minister of Energy): No. No.

Interjections by hon. members.

Hon. Mr. Grossman: Vive la différence!

Hon. Mr. Clement: I hope none of this goes back to my riding, they think I am over here working.

The whole nature of the Vital Statistics Act is for very official records, it's probably the most official fact-gathering bureau at any level of government. One must be extremely careful in the facts which are put down pertaining to one's birth or one's death or one's marriage. The other agencies are more for regulatory purposes in terms of automobile drivers' licences and this sort of thing.

It is a problem that will eventually have to be resolved; but I have not personally disallowed it, I want the member to know that.

Mr. Stokes: Wait until you convert to metric.

Mr. Roy: Mr. Speaker, can I ask one quick supplementary? This is my last supplementary on this.

Mr. Speaker: We will allow you one more.

Mr. Roy: Yes, one more. Can I say to the minister, just as a preface, I have corresponded with his ministry on this problem and can I bring to his attention, for his consideration, a situation, such as I mentioned earlier, in Ottawa. I have corresponded with his ministry on this matter where the sex change, the first one in Canada, has been from female to male.

Mr. Speaker: Is this a quick question?

Mr. Roy: Don't confuse me, Mr. Speaker.

Mr. McNeil: The member is confused now.

Mr. Roy: Would the minister not agree with me that when this person is presenting his birth certificate it now states female and that is not the case; it has been changed through medical surgery.

Hon. Mr. Grossman: Whose side is the member on?

Hon. Mr. Clement: Mr. Speaker, I understand that the medical fraternity hasn't resolved this. These operations may for external purposes, appear to be a sex change; but whether the person has really been sexually altered by this type of procedure I don't know.

And do you know what, Mr. Speaker? I don't want to know either.

Mr. Lewis: Now that was a good answer. That was the right answer.

Mr. Speaker: The member for Wentworth.

GUARD DOG IN APARTMENT

Mr. Deans: Mr. Speaker, I have a question of the Solicitor General. Does the Solicitor General think it appropriate that a landlord should send his tenants a notice which says:

> Upon receipt of this notice, this building will be strictly controlled by a highly trained guard dog. If the fire alarm rings, do not leave your premises unless you are advised to do so by either the management or the fire department. The dog is trained to search for any intruders and might be let loose in the hallways. Therefore, do not endanger yourself by leaving your own apartment.
>
> In addition to this, the dog will be patrolling the parking areas.

Hon. Mr. Grossman: Going to be a busy dog.

Mr. Deans: To continue:

> I should warn you for your own protection, he will attack on my command, should it be necessary.
>
> Finally, as you know, no pets are allowed in the building, so I would suggest that any of you who have violated this rule rectify it immediately. The guard dog will not tolerate any other animals.

Hon. Mr. Stewart: He is no pet, that dog.

Hon. Mr. Kerr: Mr. Speaker, I was made aware of that notice about an hour ago. I have asked the fire marshal to check the information and verify that the notice in fact has been given to the tenants, and to discuss it with the Hamilton Fire Department and take whatever action is necessary.

Mr. Deans: A supplementary question; it may well be it should be put to the Attorney General, but supplementary: Is the landlord legally liable for any damage upon children or tenants or visitors to the building who may inadvertently raise the ire of the dog and cause the dog to attack and perhaps injure someone?

Hon. Mr. Kerr: Yes, Mr. Speaker, I would think that anybody who is a tenant in the building, or is a licensee or invitee, if he or she was attacked by the dog the owner would be liable.

Mr. Singer: I'm sure the minister's opinion just now will be available for argument in court and will be the final authority.

Mr. Cassidy: How about some rights for tenants!

Mr. Lewis: How about just eliminating the bloody dog?

Hon. Mr. Kerr: Yes, but I didn't want to say that because of the Humane Society.

Mr. Renwick: Do away with the landlord.

METRO TORONTO HOUSING UNITS

Mr. Speaker: The Minister of Housing has an answer to a question.

Hon. Mr. Irvine: Mr. Speaker, on Nov. 18 the member for Scarborough West asked me the following question: "When did the one-year residency clause come into effect in Metropolitan Toronto?"

I would like to point out to the hon. member that technically there is no effective date at this present time. Metropolitan Toronto council on Sept. 24, 1974, adopted the recommendation of its social services and housing committee that a one-year residency requirement be imposed. At its meeting of Oct. 16, 1974, OHC's board of directors considered the matter and recommended that the residency requirement requested by Metro be implemented, and that OHC's agreement with Metro be amended to that effect.

This agreement will shortly go forth to Metro for approval. Until the agreement has been amended, therefore, and an effective date established, we are holding applications of persons with less than one year's residency in abeyance and informing them of the above reasons.

I would like to point out to all the hon. members that the report in Tuesday's Toronto Star which claims that the family housing waiting list has been cut in half to 4,000 applications as a result of the residency requirement is inaccurate. No one who applied for rental accommodation prior to Sept. 24, 1974, has been removed from the list because of this requirement. At the last regular count on Oct. 31, the list stood at 9,086 applicants for family housing.

Mr. Speaker, I have the answer to another question asked.

Mr. Cassidy: Attend to this one first.

Mr. Renwick: Let's deal with this one.

Mr. Speaker: Does the member have a supplementary?

Mr. Lewis: May I ask a quick supplementary? Do I take it that no one will be re-

moved from the waiting list prior to any effective date having been set?

Hon. Mr. Irvine: Yes.

Mr. Lewis: Okay.

SOLAR ENERGY

Hon. Mr. Irvine: The member for Sandwich-Riverside on Nov. 18 asked the following question: "How long has Ontario Housing been conducting feasibility studies on the use of solar energy to heat or help heat homes?" And the supplementary question was: "Is OHC promoting the use of heat pumps in new housing?"

Ontario Housing Corp. has been investigating the feasibility of using solar energy in housing as a source of space heating and domestic hot water since July, 1974. Discussions are taking place with the staff of the Ministry of Energy regarding the possible development of a prototype unit.

Heat pumps are generally used for both heating and cooling rather than for heating alone. While they are efficient, they are, in their dual capacity, less economical in terms of today's increasing energy costs.

We believe that double glazing and insulation, both proven and economical methods of conserving energy, are more appropriate at this time; but we will pursue, with the help of others, any system that will provide more efficient energy utilization.

Mr. F. A. Burr (Sandwich-Riverside): Supplementary?

Mr. Speaker: One supplementary.

Mr. Burr: Have the minister's officials visited Solar I at the University of Delaware?

Hon. Mr. Irvine: I haven't personally, Mr. Speaker; and I am not sure whether my staff has or not.

Mr. Speaker: The hon. member for Downsview.

LAND PURCHASES IN MILTON AREA

Mr. Singer: Mr. Speaker, a question of the minister of Government Services: Could the minister tell us why his department has apparently made an offer to purchase land at the rate of some $5,500 per acre in the greenbelt parkway east of Milton, apparently for a transformer station for Hydro, when there are three recent sales of land in the same greenbelt parkway area, one about a month ago for $1,750 an acre, one about three months ago for about $1,500 an acre and one last summer for about $1,300 an acre?

Hon. Mr. Snow: Mr. Speaker, the offer has been made based on two appraisals that were taken of the property.

Mr. Singer: By way of supplementary, did the appraisals the minister received indicate the transactions with the west half of lot 11, concession 5—all of these are new survey—or with lot 2, concession 4; or with the east half of lot 1, concession 5? Did they show those sales as a basis for their appraisal?

Hon. Mr. Snow: I have not examined the appraisals in detail, Mr. Speaker. I can check into that. I do know there were two appraisals made of the property. The offer made to Mr. Vanderbloom for the land involved was made on the basis of those two appraisals. I don't believe the offer has been accepted as yet.

Mr. Singer: That's my information as well. Will the minister table those appraisals, please?

Hon. Mr. Snow: Yes, I would be happy to do so. The appraisals, I believe, have been shown to Mr. Vanderbloom and they're public information.

Mr. Singer: We'd like them.

Hon. Mr. Snow: I have no objection to tabling copies of the appraisals. I would point out there has been a statement as to the purchase of land within the parkway belt, to the effect that the land will not be purchased at a value less than that of June 3, 1973.

Mr. Singer: There were three sales there.

Mr. Lewis: Just one quick supplementary.

Mr. Speaker: This will be the last supplementary on this.

Mr. Lewis: Was one of the appraisals conducted by Gibson Willoughby Ltd.?

Hon. Mr. Snow: I could not say, but I would doubt it very much. I'll get that information.

One of the appraisals was carried out by the staff of my ministry and one of the appraisals would be carried out by an independent, outside appraiser; but I can't tell the hon. member the name. I will be glad to get it for him.

Mr. Speaker: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker—

Mr. Speaker: I'm sorry. We're out of order, aren't we? The member for Thunder Bay, it's his turn.

HOUSING IN NORTH

Mr. Stokes: Thank you. I have a question of the Minister of Housing.

Will the Minister of Housing advise me whether or not the agreement for rural and Indian housing, which I understand is a joint programme between the federal and the provincial government—CMHC and his ministry—whether it has in fact been signed? If so, when is he going to be able to move forward to meet the need for 2,000 or 3,000 new homes in the rural parts of northern Ontario?

Hon. Mr. Irvine: Mr. Speaker, I will be glad to advise the hon. member. I'm not sure.

Mr. Speaker: The hon. member for Huron-Bruce.

PULLET PRODUCTION

Mr. Gaunt: Mr. Speaker, I have a question of the Minister of Agriculture and Food. In view of the fact that pullet growers in Ontario continue to live under conditions which threaten their existence, and in view of the fact that egg producers are now losing approximately 16.5 cents per dozen; would the minister consider bringing in production controls immediately, as recommended unanimously by his advisory committee?

Hon. Mr. Stewart: Mr. Speaker, that matter is under consideration.

Mr. Gaunt: A supplementary.

Mr. Speaker: One supplementary.

Mr. Gaunt: When will the minister have a decision on that matter; and further, could the minister report on the meeting between the Ontario egg producers and the Quebec egg producers, which was held in order to try and avoid a price war in eggs?

Hon. Mr. Stewart: Mr. Speaker, I'm not conversant with the meeting to which my friend refers. I do know there is great concern being expressed by egg producers in Ontario, and by pullet growers and by hatcheries as far as that goes. There seems to be a wide diversity of opinion as to whether or not there is surplus egg production in Ontario. There is a meeting in Ottawa this coming week between the federal minister and the provincial ministers, and I'm sure the matter of concern will be discussed at that time.

Mr. Speaker: The hon. member for Sudbury.

Mr. Roy: Could I ask one supplementary?

Mr. Speaker: No, we said the last one was a final supplementary. We're nearly out of time. If there's time the member may get to a new question.

SUDBURY AREA HEALTH COUNCIL

Mr. M. C. Germa (Sudbury): Mr. Speaker, I have a question of the Minister of Health. Could I ask the minister if he is aware that the model for a health and social services council for the area of Sudbury was rejected last Saturday? If he is aware of that turn of events, when can we expect him to institute an area health council as recommended in the Mustard report?

Hon. Mr. Miller: Mr. Speaker, I am aware that at the conference which was held—or task force, whatever it was called—in Sudbury last Saturday, the representatives of the community who were present turned down the community-designed programme. I think the hon. member realizes this was created by a steering committee from within the community, on its own. It certainly had our blessing, since we're interested in seeing a health planning council created. I understand a new steering committee has been formed and it is to take into effect the sum total of advice and comment given last Saturday to the group present.

Mr. Germa: A supplementary.

Mr. Speaker: One supplementary.

Mr. Germa: Mr. Speaker, is the minister not aware that the regional government has withdrawn any financial or secretarial assistance to this committee, so that it is impossible for them to function as presently envisaged?

Hon. Mr. Miller: I am not aware of that, Mr. Speaker, but in the main where a steering committee was formed by my ministry, we have assisted them in the formative stages

rather than expecting a local government to do so.

Mr. Speaker: The hon. member for St. George.

FATHER-LED FAMILIES

Mrs. Campbell: Thank you, Mr. Speaker. I have a question of the Minister of Community and Social Services: In light of the report in the Star of today headed "Father of Three Loses Welfare, Blames Sex Bias", could he tell me whether C. J. Williams, director, is accurately stated the policy of his ministry when he states in a letter dated Dec. 6, 1973 to Mr. Peter Griffith:

> To the general proposition that fathers with children be regarded as exempt from employment for general assistance purposes in the same way as are mothers, I do not assent. I believe that the legislation is written and interpreted so as to reflect well-established social customs and attitudes. In our society it is not considered preferable—

Mr. McNeil: Question.

Mrs. Campbell: I am putting my question. I want to know whether this is a statement of policy:

> In our society it is not considered preferable in a father to assume the role of a mother to young children.

Mr. Speaker: In view of the time, perhaps the hon. member has read enough of it for the minister to answer the question.

Mrs. Campbell: That ended the letter. Does that accurately express the philosophy of the ministry today?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, the hon. members know our legislation in that area is under review. Specifically in that case, Mr. Speaker, I think we are quite sympathetic. My people have been in communication with Simcoe county social services and it is my understanding that they will provide assistance to the end of November. Also, my staff, in conjunction with the local social services people—I think we are all interested in keeping the family together—will try and cope with that particular situation.

Mr. Lewis: Why doesn't the minister use his power and make an exception? He has that authority.

Hon. Mr. Brunelle: I've read the report of the board of review and they uphold the decision of the local administrator and in this particular case—

Mr. Lewis: The minister has the authority.

Hon. Mr. Brunelle: In this particular case they have made available homemaker's services in order to provide assistance to the family and the person in question has rejected this. I think we have to take a really close look at this case.

Interjection by an hon. member.

Mr. Speaker: There is hardly time for another supplementary. A question by the member for Wentworth?

H.O.M.E. PROGRAMME LOTTERIES

Mr. Deans: Thank you, a question of the Minister of Housing. Would the Minister of Housing consider referring to the social development standing committee the matter of the method of conducting lotteries for HOME programmes and specifically invite National Trust and interested individuals who may have applied in the Hamilton case to make representation before the committee in order that we can try to come up with a better and fairer method of dealing with it?

Hon. Mr. Irvine: Mr. Speaker, I would be glad to consider the question as posed by the member. I thought he and I were going to speak individually about this matter after the session today and possibly we will have a better understanding then.

Mr. Speaker: The member for Beaches-Woodbine. The last question.

Mr. Roy: Ask the Premier (Mr. Davis) a question.

CSAO NEGOTIATIONS

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, I have a question of the Chairman of the Management Board: Has the minister had any communication the last day or so from the negotiators for the Civil Service Association?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, the short answer to that is, of course; no I haven't. As I have indicated to the House on a number of occasions we have made very strong efforts to communicate and get to the bargaining table, but there has been no response in the last few days.

Mr. Renwick: Did the minister pick up the phone and ask?

Hon. Mr. Winkler: Yes, we have communicated and we have also written.

Mr. Renwick: The minister?

Hon. Mr. Winkler: No, I haven't personally. However, we will continue to endeavour to keep this line of communication open. I believe it has been indicated that the CSAO is not prepared to sit down with us until after Dec. 3. In actual fact I believe that if we did get to the bargaining table in the intervening space of time we might well avert any chaotic situation that would arise later.

I think that the other parties of the Legislature might also assist us in supporting what I believe is the free bargaining process. I notice in the Oakville Journal this hasn't been the stance of the Leader of the Opposition as far as I am concerned.

Mr. Speaker: The question period has expired.

Mr. Lewis: What was that all about?

Mr. Speaker: Petitions.

Mr. Roy: Where is the Premier, we haven't seen him?

Mr. R. F. Nixon: On a point of order, Mr. Speaker, I wonder if the House leader would care to clarify that rather obscure reference he made.

Hon. Mr. Snow: Hasn't the Leader of the Opposition read the Oakville Journal? It is not obscure.

Hon. Mr. Kerr: They love the member in Oakville. Good Grit people too.

Hon. Mr. Winkler: It was not obscure, Mr. Speaker. I don't want the opportunity to read the two articles; because they are rather damaging, as far as I am concerned. If the member hasn't seen them, they are available to everyone.

Mr. R. F. Nixon: They do damage?

Hon. Mr. Winkler: Pardon me?

Mr. R. F. Nixon: They do damage?

Mr. Roy: Take note of that; my leader is in big trouble.

Mr. Speaker: Presenting reports.

Hon. Mr. Miller: Mr. Speaker, I would like to table a task force report on the "Effect on Human Health of Lead from the Environment."

Hon. Mr. Bernier: Mr. Speaker, I would like to table a report entitled "The Availability of Wood Outside Algonquin Park to Satisfy Industrial Requirements. This was very thoroughly put together by Mr. G. Pierpoint.

Mr. Renwick: Mr. Speaker, on a point of order.

Mr. Speaker: Yes.

Mr. Renwick: I have been informed, Mr. Speaker, that within the last hour you have issued instructions to the security forces of this building that the Union of Injured Workmen is not to demonstrate peaceably within the environs of the lower hall.

If you are dumb, as an illustrious predecessor said, except with the voice of this assembly, what is the authority under which you made that ruling? Why did you make it? And can you justify it before the members of the assembly?

Mr. Speaker: I think I made a statement on that the other night, that organized demonstrations have been and should be outside the House, outside on the front steps. I don't think there is any debate on that.

I don't know what your other reference was about being "dumb." What do you mean?

Mr. Lewis: No; mute.

Mr. Renwick: Mr. Speaker—

Mr. Speaker: If you are talking about microphones, I know nothing about that.

Mr. Renwick: No, I was saying an illustrious predecessor of yours in the House, when faced with a similar problem many, many centuries ago, said he was dumb and had no voice except the voice of the members of the House of Commons in the Parliament at Westminster.

By what authority do you deny to citizens of the Province of Ontario the right to demonstrate in an orderly, in a peaceable fashion, within the environs of this House, of this assembly building, when it does not interfere with the processes of this government?

Mr. Speaker: This is a matter of judgement, I think. The same judgement has been carried out in years past, and I have no

quarrel with it; that is my wish at the present time.

Hon. Mr. Kerr: It has changed over the years.

Mr. Speaker: I might just say that, as I understand it, there will be further consideration given to all these matters of security and demonstrations, in the near future.

Mr. Lewis: Mr. Speaker, on a point of order.

Mr. Speaker: Yes.

Mr. Lewis: We have had, I will recall to your mind, teachers collected in large numbers in the foyer downstairs and outside the steps, both peaceably and not so peaceably, without any constraint on their behaviour. We have had students of high school level and at university level similarly involved.

Mr. Speaker, I want to put something to you on the point of order. This is a particularly vulnerable, anxious and defensive group of people, who are attempting to win by peaceable means what they believe to be justice from government.

I urge you not to drive them too far. To have locked them out of the building, to constrain their peaceable demonstration, is to impose on people already of great physical and emotional vulnerability, more than they should be asked to endure. And I ask you, sir, to reconsider.

Mr. Speaker: As I say, I think quite often it is a matter of judgement. I am not aware of the one example you mention about teachers demonstrating. I saw no demonstration inside the building.

Mr. Lewis: You saw no demonstration of teachers here? Ask the Minister of Education (Mr. Wells) they nearly lynched him.

Mr. Speaker: There was somewhat of a noisy demonstration, though, in front of the chamber, if you recall, a few months ago. I forget just exactly when it was. Further, I understand the group to which you are referring is parading peacefully in the building downstairs.

Mr. Lewis: They have been stopped.

Mr. Speaker: No. I understand they are still parading. They were when I came up.

Mr. Lewis: They have been told by the security guards to stop. That is an abuse of their authority and they are doing it in your name.

Mr. Speaker: My understanding is that they are doing it very peacefully and they are still there.

Mr. Lewis: The government doesn't have this Legislature open to people except those who agree with it.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Renwick: This is a public building.

Mr. Lewis: This is a public place of the province.

Mr. Speaker: Order please.

Motions.

Introduction of bills.

TOWN OF WASAGA BEACH ACT

Hon. Mr. Winkler, in the absence of Hon. Mr. White, moves first reading of bill intituled, An Act to amend the Town of Wasaga Beach Act, 1973.

Motion agreed to; first reading of the bill.

Hon. Mr. Winkler: Mr. Speaker, this is really a housekeeping bill. It corrects the deficiency in the description of certain lands in the township of Sunnidale that were annexed to the newly erected town of Wasaga Beach on Jan. 1, 1974.

ALGONQUIN FORESTRY AUTHORITY ACT

Hon. Mr. Bernier moves first reading of bill intituled, An Act to incorporate the Algonquin Forestry Authority.

Motion agreed to; first reading of the bill.

Hon. Mr. Bernier: Mr. Speaker, earlier today I tabled the Pierpoint report, and also indicated that the 50-mile zone around Algonquin Provincial Park could not support the park-dependent mills. In that context, I wish to say that the purpose of this bill is to incorporate a Crown agency, named the Algonquin Forestry Authority, to harvest Crown timber in Algonquin Provincial Park, to sell the logs, and also to carry out authorized forestry, land management and other programmes and projects. The authority will be responsible to and subject to the control of the Minister of Natural Resources.

BUREAU OF REPAIR SERVICES ACT

Mr. B. Newman moves first reading of bill intituled, An Act to establish the Bureau of Repair Services.

Motion agreed to; first reading of the bill.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, the purpose of the bill is to control the repairing of household appliances, including television sets and radios, by devising a system whereby all persons engaged in the business of making these repairs are registered. This is somewhat similar to what has been adopted in eight of the states in the United States.

Mr. Speaker: Orders of the day.

ELECTION ACT

Hon. Mr. Welch moves second reading of Bill 140, An Act to amend the Election Act.

Mr. V. M. Singer (Downsview): Mr. Speaker, I was interested in the explanatory note and in the comments the Attorney General (Mr. Welch) made when he brought the bill in. He said the bill was drafted at the request of the judges. I would be very interested in finding out how the judges make these requests. Do they make them through the chairmen of their associations? Is their request made on the Supreme Court level or the county court level? Is it made by a polling?

One of the reasons why judges were qualified to vote in provincial elections was because many of us on the select committee on election laws had been told by individual judges that there was no reason that they shouldn't vote; they shouldn't electioneer perhaps, or shouldn't make partisan views public, but there was no reason why they couldn't vote, because after all they too were interested in the affairs of the Province of Ontario.

The matter broke forth into print a while back and there was quite a controversy. Mr. Justice Laskin, now the Chief Justice of Canada, asserted quite firmly as I recall that the saw no reason why he couldn't have the privilege of voting as well as having the privilege of paying income tax. I know many county court judges who have lived within the environs of Metropolitan Toronto— environs that we are going to be talking about a little later—who are very, very concerned about who represents them on municipal councils. After all, they own property, they own houses, they are concerned about sewer rates and water rates and all that sort of thing they have to pay municipal taxes and they are affected.

So I have some real reservations about this amendment that the Attorney General now brings forward, which says just flatly that no judge of any court is qualified to vote in any election. I don't see what is wrong with letting judges vote in elections. I can see some kind of caution addressed to them, statutory if you will—though I don't think it is necessary to be statutory—that they shouldn't participate in any open, public way, that they shouldn't be candidates, that they shouldn't be financial agents, official agents, that they shouldn't canvass, and that sort of thing. But I can't say it any better than the Chief Justice of Canada said it not too long ago—if he has the privilege of paying income tax, why shouldn't he have the privilege of voting? And whether or not the judges feel embarassed by being solicited by the Attorney General or myself for their votes, that's something they can undoubtedly cope with adequately.

I would ask that the Attorney General reconsider this bill, because I can't see that it serves any useful purpose.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, we have very few reservations about the bill. We simply oppose it.

Mr. Singer: Oppose it.

Mr. Renwick: I would have assumed that when the predecessor of this government, the family compact, was in power, and there was an open ballot box and how people voted was visible to anybody who wanted to enforce their judgement about a person's political views, this may have had some merit.

What we are talking about in a democracy is the continuing extension of the franchise, not a delimination of the franchise. It is not a privilege to vote. It is a right. If he is going to take away the right of judges to cast their vote by secret ballot as they see fit, disguised as some reinforcement of the independence of the judiciary, the correlative nature of those two facts does not tie together.

The minister knows this, Mr. Speaker. I don't quite know why he feels so exercised about it as to bring in a bill. The judges are entitled as a right as members of this democracy to participate by secret ballot in the elections of the governments of these provinces. They are sufficiently detached now as to be almost remote in many instances from the everyday world of the laws which they administer. If the minister denies them the right to cast their vote, he probably denies them the right to give any serious considera-

tion to the immediate affairs of the communities on which they sit in judgement from day to day in many matters, be it civil, criminal or quasi-judicial function which they perform.

We are opposed to the bill; we believe that rather than start to carve out additional exceptions—and we know that this was formerly one, which we considered a step forward in the past, but this is a retrogressive step—the minister should be considering extending the franchise to all of the people who are presently disqualified under the Election Act. We simply oppose the bill. There is no way in which the Attorney General can persuade us that there is a connection between the independence of the judiciary, the exercise of their judicial functions and the casting of a secret ballot in the privacy of the balloting place, whether in municipal, provincial or other elections in Canada.

Mr. Speaker: The member for Ottawa East.

Mr. A. J. Roy (Ottawa East): Mr. Speaker, I'd like to join my colleague the member for Downsview, and the member for Riverdale, in expressing some reservation about this bill and directing some questions to the minister on it.

I have discussed this matter with various judges. Some, in fact, have expressed some reservation about voting, but my experience has been that most judges—and surely this has been repeated by my two colleagues—think a secret vote is not in any way going to impair their independence, whether they have to make an official recount or otherwise. I am trying to think of a valid reason for this particular legislation, and I can't really see it, Mr. Speaker, when judges are called upon to make an official recount, does the fact that they have voted at a secret ballot really affect their independence? Do you think the public will not get the idea that justice is not only being done but appears to be done because they have entered the democratic process and put an X on the secret ballot?

The only other point I can see for this bill, Mr. Speaker, is that it is just a reinforcement of the independence of the judiciary. I think my colleague from Downsview said it well when he quoted the chief justice, who said simply that if they pay taxes—if that is a duty imposed on them—why can they not vote?

The other point I would like to ask of the minister, Mr. Speaker, is how can he in provincial legislation deny the judges a vote in any election? How can he deny them, for instance, a vote in a federal election? Or is he talking about provincial and municipal elections?

Hon. R. Welch: (Provincial Secretary for Justice, Attorney General): The Canada Elections Act disenfranchises them.

Mr. Roy: The federal elections Act? All judges? The provincial judges as well?

Hon. Mr. Welch: They cannot vote in the federal election.

Mr. Renwick: They are wrong.

Mr. Roy: Well, whether that is the case or not, I would agree with the comments of the members here. I think it is not right. These were the questions that I wanted to pose regarding the bill. I thought the bill was extremely wide when it said "any election," and I wanted to know what elections he had in mind. Secondly, maybe the minister has some cogent reason for this bill, but I am certainly not aware of any.

Mr. Speaker: The member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Mr. Speaker, I want to make one or two comments about the bill as well. Obviously the purpose of the bill is to try and reinforce the independence and impartiality of judges, and I would just say to this minister in particular, because of his general responsibility for the status of judges, that if the bill were even required, which we dispute, there are surely a number of areas which are more important and in which the qualities of independence of the judiciary are much more strongly compromised than in the area of the Election Act. As the minister knows, it's quite common for people who have had a history of activity in one or other of the political parties to become judges in this country. This has been something which has been with us since Confederation, and occasionally just in order to dignify the system one even sees the appointment of some people who are New Democrats, like Justice Berger at the federal level, in order to dignify the general appointment of Liberals and Conservatives.

It's not possible for someone who has been a party man for much of his or her life to simply abandon that the day they become a judge. Clearly the quality of being a judge is the ability to rise above one's partisan past in making judgements, even in dealing with matters that may affect a political party or may affect the tendencies or ideals and poli-

cies one may have espoused during one's active or partially active political career.

Now the fact that the judiciary, despite the manner of patronage appointments which lead to the appointment of judges, still enjoys the respect it has in this country, is surely a tribute to the fact that most if not all judges manage to rise above that kind of past.

The second point about the independence of the judiciary is that in rising above their past the single biggest problem they have is probably not their partisanship, or the existence or non-existence of the right to vote in a particular election, it is the fact that judges are drawn from a very narrow class basis, that is they tend to come from the upper middle class. They tend to have been raised as children in comfortable, if not prosperous homes, to have had a privileged education, and to have lived a life of privilege as well-paid members of society, successful members of the bar, before they entered the judiciary.

When judges embark in areas of economic and social policymaking or policy interpretation, as so often happens these days, it is clear that their impartiality is even more put to the test, I would suggest, than when it is a matter, say of sitting on a recount or a judicial controvert of an election in which a political party of which they may have happened to have been a member happens to be involved.

Standing above one's past is an awful lot easier when it is just a matter of a controvert than when it comes to trying to escape one's class origins and come to a decision, say in a labour-management dispute or a matter of economic crime in which one's social and class peers, that is business executives, are being brought before the courts on a matter of combines, of price fixing or other kinds of illegal trade practices. In fact often we find that the judges fail that test. They will mete out a 30-day sentence to some business executive for an economic crime which has victimized thousands and thousands of consumers across the country, while not winking an eyelid the next week at giving a year-and-a-half or two-year sentence to somebody who stole small amounts in order to feed a family. That kind of anomaly still goes on because of the class bias of judges; they don't escape their backgrounds in that particular area.

The minister should be thinking about ways in which judges can be aided to more truly apply justice in the kinds of example I'm giving. The fact that they have the vote, I would suggest, may in some slight manner help them come to grips with the economic and social policy problems that confront governments at the three levels or at the two levels affected by this bill. It would therefore, I suggest, be a more progressive step that they have the vote rather than not.

If the minister is concerned about the independence of the judiciary and about the problem of conflicts of interest, I would suggest that much more urgent on his agenda would be the question of why it is, some six or seven years after publication of the McRuer report, judges still sit on police commissions for the majority of police forces in the Province of Ontario. Now that is a clear, direct, ever-present conflict of interest, which I would suggest not only compromises the police, but also on a day-to-day basis violates the independence of the judiciary, because they are dealing with evidence submitted by police officers, or they are dealing with police prosecutors in the lower courts, over whom they may have very substantial jurisdiction as members of the police commission for that particular area.

If the minister is concerned about the independence of the judiciary, by all means let him move in that particular direction; but as the member for Riverdale has said, we don't see why the government should now restrict the franchise. We believe that judges are capable, and have shown that they are capable in the past, of applying justice without being compromised by the fact that they may have exercised their right to secret ballot.

Mr. Speaker: The hon. member for St. George.

Mrs. M. Campbell (St. George): Mr. Speaker, I just have a few words to say. I, too, cannot understand why this particular amendment is being introduced.

While some of what has been said by the member for Ottawa Centre all too unfortunately still prevails—

Mr. Cassidy: Present company in this House excepted.

Mrs. Campbell: —on the other side of the coin, I would like to say that if the judges don't even have the right to vote, then their control by the civil service, which does exist today in many ways, would only be increased by the fact that they were disenfranchised. We might then see judges feeling even more forced than some do today to take to the public media to express concerns about the social aspects of the matters with which they

are dealing and the persons who come before them.

I am sure the minister realizes that there are some very indirect kinds of directives to judges, if I may put it that way, which I feel should not be permitted to continue. Indeed, they should have complete autonomy in the affairs of their courts; and I am sure that the minister is aware of examples where this has not been the case.

I am of the opinion that if we deny them the right to vote, then we are further making them subject to the types of directives that they already have—

Hon. Mr. Welch: Can the hon. member give me some examples? I really don't understand that.

Mrs. Campbell: Well, let me say this: For instance, when it is decided by the civil service that they will clock a judge in the court, then it seems to me that that is a directive or matter of influencing the way in which a judge shall deal with the cases before him or before her. I hope this has now been stopped, but it was indeed a fact of life. That is one example. There are many others, where the administration of the Attorney General's ministry issue directives that affect the way in which a judge functions in that kind of way.

I am not suggesting for a moment that there is any influence on the way in which the determination shall come about. But I am saying that if we have people sitting clocking judges in a court, it has to have some effect on the way in which that judge is going to carry out his or her conduct of the hearing, unless they happen to be independent enough and perhaps Scottish enough not to go along with it.

We talk about autonomy, and there is no one who has a greater concern for the preservation of the autonomy of the judiciary than I have, but I say to the minister, Mr. Speaker, this is no way to protect the autonomy of the judiciary. The simple truth is that for a long time judges were concerned about any kind of participation, and some of them didn't vote when they had the right to simply because they didn't know whether they should or not. But they welcomed the opportunity to vote, and I think they are big enough boys and girls who can avoid any of the problems of being canvassed in the very nicest way. I don't think that they're children, but I do think they have a lot to say about the shaping of justice in this country and ought to be able to have that kind of a voice. Thank you, Mr. Speaker.

Mr. Speaker: Does any other member wish to speak on Bill 140 before second reading? Mr. Minister.

Hon. Mr. Welch: Mr. Speaker, obviously I'm quite delighted that we would have this type of debate on a matter of principle such as this. I would like to respond as briefly as I can to the points which have been raised, all of which deserve a reply. May I start with the hon. member for St. George, when she talks quite properly about members of the bench having some contribution to make towards the administration of justice, particularly from an organizational point of view.

I think the expression used by the hon. member was having some involvement in "the shaping of justice," and I would want to assure you, Mr. Speaker, and through you, the members of the House, that I respect that point. Indeed, the Law Reform Commission itself, in its report on the administration of the courts, makes a number of recommendations with respect to court organization and administration. I'll be reporting to the House in due course as to how we hope to approach that report and its recommendations, particularly as it will involve the bench from all respects to be advising me and the consultation which I will have with the judiciary with respect to those recommendations, to satisfy myself that they are very much involved in the very careful consideration of those recommendations, which I assume will have a great deal to do with the whole question of the shaping of justice as it will appear to the public and, indeed, a system with which they have to work.

I'm at some loss as to how I might adequately respond to the point raised by the hon. member for St. George with respect to the concern she has that if, in fact, judges do not have the franchise there will be an increased domination of judges by the civil service, particularly in day-to-day administration. I really don't know how being able to exercise the franchise would change that, if, in fact, that exists in any deterring way. However, the point has been made and I would certainly satisfy myself that most judges feel that they have control of their own court and their own situation. Indeed, this minister has said on more than one occasion, talking in terms of the administration of the courts generally, that I in no way want to interfere with the judges' prerogatives in that regard.

The member for Ottawa Centre raised some very interesting points with respect to the whole question of independence of the judiciary. He raised some questions with respect to the methods of appointment of judges, and raised some questions with respect to the diversification of economic and social backgrounds of those who are called upon to accept this very important office in our society, from the standpoint of how this may or may not influence the adjudicative function of these particular people. This province, I think, can take some pride in having introduced legislation some years ago providing for the establishment of the judicial council, to which the Attorney General refers all names for appointments. Indeed, I found, certainly in my limited experience in this portfolio, with respect to the recommendations that I've made to my colleagues in the cabinet regarding appointments to the provincial bench, that this council has taken its responsibilities very seriously as it, in fact, takes on this particular job of analyzing and checking into the background and the material that's made available to it with respect to those who would be nominated. Indeed, I think that forms a fairly important part of the appointment process.

Mr. Cassidy: I acknowledge that, yes.

Hon. Mr. Welch: I do want, though, to go on to the other point. Here, once again, I'm not able to generalize with respect to the social-economic background from which these appointees come. I think it would be a bit dangerous to generalize, as the hon. member has, to suggest they all come from backgrounds that, in fact, would be upper middle class—was that the expression he used?—or upper class. I think it would deny the appointment of many people who, perhaps, have come from backgrounds—and I'm at some disadvantage because I'd have to take each individual case to be fair—which, in fact, would not necessarily fall into the general classification to which the hon. member makes reference. Indeed I would take it that many people, notwithstanding the fact that they've been able to acquire the educational background necessary for their law degree and ultimately to be qualified for employment, may well have come from backgrounds like many of us. We are very proud of our backgrounds, coming from homes where parents have not been considered to be even middle class, but there has been a certain example set in those homes with respect to hard work and the acquiring of education.

I do want to be careful because I can't make any general comment on this. It would be a case of having to take into account the individual people who now serve in this capacity and trace their background. I do regard the point made, from the standpoint of satisfying ourselves with respect to all of the things that are being referred to the bench these days, that we maintain this degree of independence and impartiality. I do recognize how important the role of the judicial council is.

The question of police commissions troubles this minister. I want to say to the hon. member that in our policy field, in consultation with the Solicitor General (Mr. Kerr), and particularly now since we have the task force report on policing and the organization of policing, I'm sure I wouldn't be telling any secrets to the House if, as even my predecessors have said in some occasions—and I agree—I express some concern with respect to provincial court judges serving on police commissions for some of the reasons mentioned by the hon. member.

Mr. Cassidy: Why doesn't the minister do anything about it?

Hon. Mr. Welch: Before coming to any conclusions on that particular matter, I thought since we now have the task force report it was important to hear other points of view, and there are other points of view on the particular subject. There are people who feel very strongly about the police commissions and having judicial persons on those commissions. They see something in the impartiality from the standpoint of judges and maybe from the standpoint of enfranchisement too, to tell the truth, in an inferential way. There are people who have other points of view and I think in fairness it is important to satisfy ourself that we have listened to all these arguments as well.

Mr. Cassidy: It is sort of like Plato's guardians, in other words.

Hon. Mr. Welch: There are people who feel very strongly that there is some point in our law enforcement organization ensuring that the immediate governing body is at arm's length away from the immediate accountability of being simply a committee of council, if the member knows what I mean. He would be the first to suggest that there are ways to respect that without necessarily going the judicial route, and I understand that argument. All I'm saying is that at this time I want to assure the hon. member that I'm not avoiding his point, but rather I feel

that we do have to come to grips with that particular matter and we will.

I then want to make reference to the comments made by the hon. member for Riverdale, the hon. member for Downsview and hon. member for Ottawa East, with respect to some of the reasoning behind this. I think in all fairness I would have to admit that perhaps it is more on the basis of principle than practicality. It is more perhaps on the basis of appearance with respect to our system. Yet when I say that I don't want to minimize the importance of principle and tradition and appearance in this particular area.

We have a system which I think we would agree is highly regarded. I don't think this is the place to start making comparisons with other jurisdictions but we are very fortunate that we have built up a judicial system in this jurisdiction, in fact in our country, that has the public confidence that it does. I think the question of appearance and impartiality and so on is very important.

In attempting to respond to these points. I'm cautioned by what the hon. member for Riverdale quite fairly says, that he can't be convinced with respect to some of these arguments. Nevertheless, I might say with the same type of conviction that I really believe that it's important to underline the very simple fact set out in the statement at the time of the introduction of the bill itself. The disqualification from voting is designed to protect the independence and the impartiality of the judiciary, the appearance of which might—and I underline that because I said it might—be endangered, especially when judges of the Supreme Court and the county court are called upon to adjudicate matters arising in the area of election law.

The hon. member for Downsview quite properly says, "What do the judges feel about this themselves? They are the people affected." I would point out to him that the unanimous decision of the judges of the Supreme Court, adopted at a meeting of their council asked us to do this. They were quite disturbed when the new Election Act came in and, in fact, provided the opportunity for them to vote. They met and the Chief Justice of the Appeal Court wrote to the deputy minister of the ministry at that time, pointing out the concern of the judges with respect to that, and asked that the enfranchisement granted by the Election Act be changed and that they, in fact, be disenfranchised.

Mr. Singer: What have resolutions to do with that? That is not the—

Hon. Mr. Welch: The point is that that may well be on the basis of information which the hon. member has. I am acting on the strength of the report to the Lieutenant Governor by the Council of Judges of the Supreme Court of Ontario, adopted at meetings of the council and so on, and the letter from the Chief justice, which would indicate in a very strong, well-reasoned way why they feel that way.

Mr. Singer: Did all the Supreme Court justices indicate this opinion?

Hon. Mr. Welch: I think it would be fair to say at this stage that a vast majority of judges feel that enfranchisement represents a retrograde step in that it ignores the principle that the judiciary is a third and separate branch in our system, which really shouldn't participate in political affairs.

Mr. Cassidy: That's American doctrine.

Hon. Mr. Welch: And at present, the Supreme Court and county court judges, I do remind the House, are disqualified from voting in federal elections. The disqualification from voting, I just simply repeat, is designed to protect the independence and the impartiality of the judiciary.

Mr. Cassidy: That is an American doctrine; we don't find it here.

Hon. Mr. Welch: As the member for Riverdale points out, there are those who perhaps would see some difficulty in understanding that from the basis of simply voting, but I think the appearance and the principle and the tradition which has built up has indeed prompted me to introduce this amendment. I am satisfied that in doing so there has been this discussion on the part of the members of the bench itself.

Mr. Renwick: The minister is introducing the bill because the judges asked for it, not because the public interest demands it.

Mrs. Campbell: May I ask a question for clarification, Mr. Speaker?

Mr. Speaker: The member for St. George.

Mrs. Campbell: The minister has mentioned the Supreme Court judges and the county court judges. Could he tell me what resolution there was from the provincial court judges?

Hon. Mr. Welch: I have no such resolution.

Mrs. Campbell: Thank you.

Mr. Singer: Did he ask them for one?

Mr. Cassidy: Could I ask the minister a question too, Mr. Speaker?

Mr. Speaker: It is out of order to ask questions of the minister at this time. If the minister wants to accept a question, it is all right with the Chair.

Hon. Mr. Welch: I don't mind.

Mr. Cassidy: In view of his insistence on the separation of the judiciary from the other two branches of government, does he propose, as a member of the executive, to leave the Legislature?

Hon. Mr. Welch: No—well, I mean certainly not voluntarily, Mr. Speaker.

Mr. Cassidy: Well, the minister is obviously inextricably intertwined right now.

Mr. Speaker: The motion is for second reading of Bill 140.

All those in favour of second reading of Bill 140 will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THIRD READING

Clerk of the House: Bill 140. An Act to amend the Election Act.

Mr. Speaker: All those in favour of third reading of Bill 140 will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to; third reading of the bill.

STATUTES ACT

Hon. Mr. Welch moves second reading of Bill 141, An Act to amend the Statutes Act.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: I agree with the second part of the bill but I don't agree with the first part. I know it has become the custom, and I think that the Legislature was extremely wise in 1918 in putting in that provision that unless otherwise noted in the Act, an Act would come into force on a specific date. I would like to ask the minister how many bills there are that have been passed by this assembly that have never been proclaimed? Does the minister have that information? I know of one, of course, and that is the amendment to the Corporations Information Act.

Mr. Singer: I know of sections—of one section of the Insurance Act.

Mr. Renwick: I quite agree that it requires each bill to have the provision in it about the commencement date; that has been the custom and the procedure of the assembly. I think it is very wise to have that in the particular statute. If I understand this correctly, the deletion of this provision from the Statutes Act—and I am referring to the first part of the Act—would have the effect that a bill would not necessarily, in its terms, have to have any statement as to when it would come into force, other than if the government wished it to come into force on a particular date, because it would follow automatically that the last step in the passage of a bill is the royal assent, and the giving of the royal assent would bring that Act into force unless the Act provided otherwise by its terms. It seems to me that there is some merit in leaving the Act as it is.

I would be extremely interested to know why, at this particular point in this session of the Legislature, it was felt necessary to pass this kind of a statute. Probably, I guess, because I am a little bit concerned about the economy of time and the minister puts in a bill like this. It doesn't have to be in there; I doubt very much if we are going to save very much by way of printing costs. I also doubt whether it would be worth our while to investigate five years from now to determine how much has been saved by it. I think it is a kind of a minor statement about the economy that is involved in it. That wasn't the initiative.

I would like to know what the reason was and why they feel that what was done in 1918 should now be reversed in 1974. We got along with it—I would assume that we got along with it—for 56 years. I guess it's not a matter of urgent public importance; it is not a matter which is talked about very much in the riding of Riverdale, I know. Perhaps on the Danforth on a Saturday morning people are concerned about it. I haven't heard it myself.

Mr. Speaker: Does any other hon. member wish to speak on the bill before the minister replies?

The hon. minister.

Hon. Mr. Welch. Mr. Speaker, one or two specific questions were addressed to me. I would draw the attention of the hon. member for Riverdale to Statutes of Ontario, 1973, and at pages 1671 and 1672 there are listed Acts and parts of Acts not proclaimed as of March 13, 1974; they represent about a page and a quarter.

Mr. Renwick: How many?

Hon. Mr. Welch. I haven't counted them all, but they are listed there in part B. I can do nothing further than to point out that the removal of this particular requirement is consistent with similar legislation in all other jurisdictions in Canada.

Mr. Renwick: Does the minister mean we are lagging behind this time, that we are the last one? Instead of being ahead of the game, we are behind?

Hon. Mr. Welch: And I am told that it will result not only in savings in terms of printing costs, but also in reducing the time within which the annual volume can be published, and I think it would be fairly important, in the public interest, to have the volumes published as quickly as possible.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion.

Bill 141, An Act to amend the Statutes Act.

Mr. Renwick: Think of the number of dollars it is going to cost to print that amendment and this government talks about saving money.

EXECUTION ACT

Hon. Mr. Welch moves second reading of Bill 142, An Act to amend the Execution Act.

Mr. I. Deans (Wentworth): Who is the minister going to execute?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion.

Bill 142, An Act to amend the Execution Act.

JUDICATURE ACT

Hon. Mr. Welch moves second reading of Bill 139, An Act to amend the Judicature Act.

Mrs. Campbell: No amendments?

Mr. Speaker: Mr. Welch moves second reading of Bill 139. Carried?

Mr. Singer: No.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Mr. Speaker, this is a bill that has several parts to it; some of them I am in agreement with and some I'm not. And I'm going to have to talk about the various principles in the bill on this debate.

The first principle is increasing the size of the Court of Appeal. I recognize with the minister and with others that the business before the courts has greatly increased and that it would be to the advantage of the system of administration of justice if our Court of Appeal bench was expanded in the manner suggested in the statute.

May I say that in recent years, in my opinion at least, Mr. Speaker, the character of appointments to the Court of Appeal has been outstanding, and the kindness, courtesy and attention which that bench in particular has been giving to matters that come before them is most appreciated by all members of the profession with whom I have had the opportunity of talking. So without very much hesitation I can support, and my party with me will support, the increase of the Court of Appeal by adding what will amount to, I guess, an extra panel; that will certainly help in the speedy administration of justice.

The next section, withdrawing of a lis pendens, can now be done by an order of the court in which the action or proceeding was commenced. I think that makes sense and really doesn't need any great debate at all. We can support that one.

But it's section 3, Mr. Speaker, that puzzles me completely; and I don't really see how I can support it.

Mrs. Campbell: Or any employer could support.

Mr. Singer: In subsection 2(a) it says:

> Subject to subsection 3, no person shall,
>
> (a) take or attempt to take any photograph, motion picture or other record capable of producing visual representations by electronic means or otherwise, or make or attempt to make a graphic portrait or sketch,
>
> (i) at a judicial proceeding, or
>
> (ii) of any person entering or leaving the room in which the judicial proceeding is to be or has been convened, or
>
> (iii) of any person in the environs of the room or the building in which the judicial proceeding is to be or has been convened where there is reasonable ground for believing that such person is there for the purpose of attending or leaving the proceeding; or
>
> (b) publish, broadcast, reproduce or otherwise disseminate any photograph, motion picture, record portrait or sketch taken or made in contravention of clause a.

Subsection 3 is a qualification which allows any of these things to be done in connection with the judicial proceedings as ordered by the judge and "with the consent of the parties and witnesses, for such educational or instructional purposes as may be approved by the judge."

It seems strange, Mr. Speaker, that today the Attorney General should suddenly express great concern about this sort of thing. Certainly in my experience in court these matters seem to have been well handled by the presiding judge. It's almost been an automatic rule that pictures shall not be taken that you won't bring in television cameras and go through the glare of klieg lights and that sort of thing. But why is a sketch offensive to the Attorney General? How does it detract from the process of the administration of justice? Why is an artist who sits quietly at his position in court, probably at a press table, any more objectionable than a reporter who sits beside him? Is an artist disturbing the proceedings of the court when he makes his drawing more than the reporter who makes notes in his book? What is the distinction? To what extent, if any, is the drawing of a sketch going to disrupt the proceedings in the courtroom or going to derogate from the quality of justice being administered in the court? I think that additional inclusion is unexplainable, and I would urge the Attorney General to delete it. I see no point in it at all.

The second difficulty I have with this section is the use of the word "environs." I know that the Attorney General has his idea of what environs might mean. Some of the members of our press gallery have wondered about what environs might mean. There are dictionary definitions of what environs might mean. Whatever we say in this House, if we adopt this wording, really isn't going to affect the wording. I suppose Judge A might consider that the environs of the new courthouse in the city of Toronto would include the city hall square. Perhaps it could include Queen St. or Bay St. It might, in fact, include the ground floor in the new courthouse, where administrative offices are, where the sheriff's office is, where the county court clerk's office is, where the surrogate court office is. I see that there is some assent over there under the gallery with that latest idea, but I don't see why, if someone is walking across the city hall square on their way to the new courthouse, that word might be so broadly interpreted. Or perhaps they are walking up Bay St., as many lawyers do on their way to court. Is that part of the environs? Or if they are within the boundaries of Metropolitan Toronto, is that part of the environs? I think that draws the swath far too wide.

There is one city in Ontario that someone was mentioning to me the other day where the courtroom facilities are on the 10th floor of a large building. Are the environs the other nine floors, where completely unrelated matters may be being carried on? I don't know. I think the choice of that word is a very, very bad one; and I don't think the section should go through with the word "environs" being included as a part of it.

In fact, Mr. Speaker, I don't see any real reason at all for the inclusion of section 3 in this statute. "Every person who is in contravention of this section"—the penalty section—"is guilty of an offence and on summary conviction is liable to a fine of not more than $10,000 or to imprisonment" for six months or both. Surely if a judge has seen fit to make the appropriate orders, as judges do, or to deal with decorum in his courtroom, and if someone has chosen to disregard the judge's direction, the various penalties for contempt are available to that judge if he should, in fact, want to use them.

I would urge the minister to delete section 3 from the Act. I don't think it adds anything to our system of administration of justice; in fact, it clutters it up with restrictions that heretofore have not seemed to be necessary in any way. I haven't heard anyone complaining about sketches, and I haven't heard anyone say that whatever prohibitions now exist should be extended to environs, whatever environs may be. While we will support the bill on second reading in principle, we will ask that it go to committee and we will certainly oppose the inclusion in it of section 3.

Mr. Renwick: Mr. Speaker, I have a rather important engagement so I will of necessity be quite brief. But my colleagues will pursue the debate in some depth.

I don't know of any reason why the Attorney General is increasing the number of Court of Appeal judges. I could understand, if the information were made available that there may be some need to increase the number of judges on the High Court of Justice. I just don't believe that the number of cases before the Court of Appeal is such that the present complement of judges cannot deal with the matter. I certainly have not seen any information—I may have overlooked it if it was made available, though I tend not to overlook that kind of information—but I think you have to justify the increase in the number of judges in the Court of Appeal, as far as I understand the amendment with respect to that matter.

A few minutes ago the minister was invoking Montesquieu and the American system. In the other section of the bill, he is excluding the American system. It has become customary in the United States courts, in lieu of taking photographs, which is necessarily distractive of the court procedure, that artists do sit in the court and make sketches of the various persons who are involved in the court proceedings, be they judge, prosecutor, defence counsel, witnesses, interested members of the public, jurors, or others. I know of nothing which would indicate that an artist sketching persons in the court would be distractive or disruptive of the court proceeding. We must, of necessity, be very interested in the openness of the court proceeding, the publicity attendant on the court proceeding, the publicity attendant on the court proceeding, so long as we are not interfering with the process of justice in those courts and so long as we are not interfering with the rights of the persons who are involved.

Mr. Speaker, if the minister had brought in an amendment to the Police Act to prohibit the photographing of persons who are apprehended by the police and are led out of a police station handcuffed to a detective—and of course the caption always has to be perfectly clear to distinguish the detective from the person who is apprehended, you know; they have to be very careful about that.

Mr. Cassidy: The suspect is better dressed.

Mr. Renwick: Then there is the problem of providing him with a piece of cardboard so that he can hide his face. That is far more derogatory of the rights of citizens in the Province of Ontario than an artist being in the court and unobtrusively sketching what takes place. That's public business. All of us can go there. I think it is immensely damaging to any citizen, before any trial has taken place, if he is apprehended by the police and then subject to no protection with respect to his right of privacy with respect to photographs that are taken of him when he is in the hands of the police.

If the minister had introduced that kind of a bill, we would certainly support it, but he always starts at the wrong end. There is absolutely nothing which can affect the process of justice in the Province of Ontario in an artist making a sketch. I agree entirely about the photographs and I agree entirely about the motion picture part of it, because the equipment necessary for that kind of activity, the positioning of it and so on, is disruptive of the quiet orderly process of the hearing of the case, is disruptive not of the decorum of the court but of the rights of the people who are involved, who are entitled to the undivided attention of the judge, the prosecutor, the plaintiff's counsel or the defendant's counsel, and the undivided attention of the jury, if there is a jury. That's a different matter. I agree with the question about other kinds of equipment, but in this day and age to rule out the artist's sketch has no merit whatsoever in my judgement.

I would say, and I wasn't being facetious, that the minister may well have occasion to look at the Police Act with a view to the question of protecting people who are arrested from having their photographs taken, which is much more damaging than any possible artist's sketch could conceivably be to a person who, by the orderly process of justice, finds himself in a court. It is a normal hazard of everyday life. Which of us may not be there on almost any occasion?

Hon. Mr. Welch: In a sketch.

Mr. Renwick: Yes.

Mr. Singer: Or in the environs.

Mr. Renwick: The environs bothers me. It is a beautiful English term, derived from ancient Greek, I suppose.

Mrs. Campbell: It is hazy Greek.

Mr. Renwick: In any event, I think it is a very hazy term to have in a statute, but that isn't my principal concern. My principal concern is that the artist's sketch is an accepted way of providing the public with information about what goes on in courts, some visual reproduction of the persons who are engaged in those court activities. So far as the public is concerned, it would be much more important in my view to pass an Act relating to the protection of people under the Police Act.

Mr. Speaker: The hon. member for Ottawa Centre. Excuse me, the hon. member for St. George is first.

Mrs. Campbell: I shall be brief, Mr. Speaker. I am not going to go over all the points which have been raised. I must say that I do have some sympathy with the incorporation of the prohibition against electronic devices and all the rest of it. I think that could remain there but the matter of sketches I cannot understand. We have reporters sitting there, they are taking down the proceedings, they are naming names, they are regurgitating some of the things which have happened in the court, and I can't for the life of me understand why sketching should be prohibited.

My real concern here, while I accept all that has been said before, is the terminology and the use of the word "environs." When one looks at the penalties, it seems to me it ought to be spelled out pretty clearly what it is we are talking about. When, in the first place, the bill says "in the environs of the room in which the judicial proceeding is to be or has been convened," then possibly it is open to some definition. But when it adds to that the building, then truly I wonder how we can hope to interpret it adequately in order to protect those who may without any real intent violate what is proposed in this legislation. I have always felt, as with taxing statutes, those statutes which impose this sort of liability ought to be very clear in law. Therefore, I would ask that at least, if nothing else, we might have some better definition of what we mean in subsection (2)(a)(iii). Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker: I have a couple of comments to make on this. The first comment relates a bit to the discussion we had on the previous bill this afternoon where I was raising the question as to why the minister would attack the gnat of whether or not the independence of the judiciary was affected by their franchise, while ignoring the beam—it is the mote and the beam I am talking about I guess, and the minister as a good Anglican would know of what I am speaking—in the question of the judiciary forming part of police commissions. I have a feeling that the first two sections of these amendments are rather in the same kind of situation as well.

The member for Riverdale tells me, while there may be problems with the backup of civil cases before the High Court, he is not aware, as he said in the House, of any particular problems in the Court of Appeal. As I was reflecting on this, and I would confess that I am not of the judicial training that the minister or the member for Riverdale is, I recall there has been no action yet on the very important report submitted to the government on the administration of justice in Ontario. The recommendations there among other things included a better scheduling of business, the appointment of lay people to carry out the administration of justice, better scheduling and rather tougher treatment of counsel in particular, in order to ensure that repeated delays in the courts were not caused by dilatory actions by counsel or by the present practice where by certain very busy lawyers simply take on more than they can carry and still manage to keep their lives sane by a succession of postponements and delays of trials, which they achieve with the complaisance of their fellow gentlemen at the bar who are the lawyers who grant them these delays.

Surely those kinds of questions should be raised and resolved before the Band-Aid of increasing the size of the court of appeal is applied. I would hope that the minister might give us some of the information on which the recommendation to increase the size of the court is being made, and that he would give us that information during the course of our committee stage study of the bill; and that he would further explain, perhaps during the course of this debate, why it is that he is going ahead with this particular aspect, yet not touching the high court where it seems the problem is of a greater stature, and not touching the more general question about the problems of court administration that were underlined by the recent report.

If I can come now into the area with which I am more familiar, I categorically reject the proposals, which are made by the ministry or by the government, to prohibit the use of both television cameras, motion pictures and still cameras and sketching in or around courtrooms.

I find this a damaging, dangerous and retrograde step which is being taken by the minister. Perhaps by his nod he means that he agrees with me but that the officials sort of made him do it—but no; okay, he's shaking his head now, okay.

If I could work from the back forward; if there were any defence in the proposals by themselves, it would seem to me the enforcement should be by means of the judicial powers of contempt and that the fine that was laid out in this particular case is gross and quite out of line with the nature of the possible offence.

Clearly, if there is a question of privacy and it's violated, you either can't compensate for it at all or else you're going to get involved with minor offences against the Act. To put people on penalty of a $10,000 fine is very substantial, particularly with a smaller news organization and particularly in marginal cases. I would suggest that it's very much out of line with the penalties which are applied by Ontario statutes and by the courts in other cases.

If I can give an example: When a landlord in my particular riding of Ottawa Centre illegally evicts a tenant there is no legal recourse and no fine. They have violated no criminal statute and that tenant, put out on the street illegally and forced to somehow make do—move children, move furniture, the whole bit—with their whole life disrupted by the wilful act of a landlord, that tenant can only have redress in the civil courts.

And the civil courts, if the case ever gets there which it seldom does, have tended to treat the whole thing very lightly and have seen the rights of landlord and tenant as being equal. Maybe they have compensated the tenant to the tune of the month's rent that he may have lost and the living costs after the landlord had put him out on the street. That's the kind of redress that a tenant has when his whole life is disrupted, and yet the minister comes in with a $10,000 fine in the case of the particular offence set out in section 3.

In addition I would like to suggest that, under certain circumstances, the offence is unprovable and a violation is unenforceable. Reasonable grounds for doubt can exist to the point where the existence of these very severe penalties is really objectionable. Namely, the minister will accept, I think, that certain artists are capable of recreating in their mind's eye, a situation or a scene they may have seen, particularly if they have seen it minutes or an hour or so before.

Therefore, it is within the terms of the proposed amendment here for an artist working for the Toronto Star, or the CBC or whatever, to sit in and, at the dramatic moment where a suspect breaks down or a witness makes a dramatic charge, to fix that scene in their mind's eye and then to go away from the environment of the court, back to their newspaper office or to the CBC building, and there, a few minutes later, to sketch from memory what they saw; and that is not in violation of the law.

We therefore get a situation where we have to catch the artist in the act, so to speak. We have to find him putting pencil to paper or we have to find in his possession, as he leaves the courtroom, some rough sketches from which he will make his finished drawing. We have to search anybody who happens to be wearing a beret and a goatee as he enters or leaves the courtroom. If they happen to be coming in with a bit of charcoal or a couple of soft drafting pencils in their pocket, do we seize them? It is all ludicrous; it is really quite absurd.

I would suggest that because, as the minister acknowledges, artists are capable of recreating what they saw without actually being in the environs of the courtroom, what he is therefore doing is saying that a rather less exact record made by somebody who was not on the premises is permissible but a somewhat more exact record which may be made by somebody on the premises is not.

Hon. Mr. Welch: It is no different than a paper running a picture of the accused which was not taken in the courtroom.

Mr. Cassidy: The minister says it is no different than a picture taken of the accused —well, taken where?

Hon. Mr. Welch: Or a television station putting on a picture of the accused or a witness. The important point in this is what goes on in the courtroom.

Mr. Cassidy: No, the minister should realize in fact that the Act extends further than that. For example, in the city of Ottawa, as I think the minister knows, the police station and the courtroom are almost in the same location. Certainly the courts are physically

within the same block, although they are not connected directly with the police station.

There are detention cells in the police station for prisoners who may have been put into the drunk tank or who may have been held in the station for an afternoon session after having been brought in from the regional detention centre during the course of the morning. Is a prisoner who moves from the Ottawa police station around the block to the Ottawa-Carleton courthouse for a trial at all times within the environs of the courthouse? If that's the case, then it becomes illegal for a newspaper photographer to take a picture of that particular prisoner or accused on his way from his jail cell to the courtroom.

I don't know the physical arrangements of the courts here in Toronto, as to whether a similar situation exists. As I recall, I think the courts in Montreal, which are out of this jurisdiction, also have cells and courtrooms within the physical environs of the same building or the same complex.

According to the letter of this particular law, in the particular case I've mentioned, whether it's Ottawa or possibly other parts of the province, photographs would be forbidden. You can't take photographs outside the courtroom, you can't take photographs within the building where the courtroom is situated and you can't take photographs within the environs. Clearly, in that case, it's the environs of the building, which I assume means around the entrance of the building.

What does one do if an accused who is out on his own recognizance comes by taxi or limousine or by motor car, gets out at the front steps of the courthouse and simply walks up the steps? In practical terms, the newspaper photographer or the TV photographer will want to be situated somewhere on the steps of that building to take their picture. Yet that, I think, is pretty clearly within the environs of the building in which the courtroom is situated. Therefore, what the proposed amendments say is that in many circumstances it will be impossible for news organizations to take any visual record of the accused or of other people involved in a particular trial on the day the trial is actually taking place.

I wish the press were here for this particular debate because I think it is an important one which affects the freedom and the rights of the press, the newspapers and the electronic media. For that reason, I wish that one or two of them were listening in.

The minister and the government are trying to sneak in the back door with a proposal which amounts to a form of censorship of the major means by which people receive their current news information in the province today.

Hon. Mr. Welch: That is not a fair comment.

Mr. Cassidy: No, it is censorship.

Hon. Mr. Welch: That is not a fair comment.

Mr. Cassidy: The minister says it is not a fair comment and that's on the record now; fair enough. He can reply during the course of this debate. But this is a form of censorship and I'll tell him why.

I've talked around the bill. I've talked about the fine being too great. I've talked about the practical problems of sketching from memory, off the premises, where one is away from the environs; and of the practical problems of TV or news photographers taking pictures in the environs of the building and maybe being ruled out, because of the physical arrangement of one courthouse as opposed to another, from getting any editorial record of a suspect or other people involved in the trial on the day the trial is taking place.

If I can expand on that for a second, the nature of news is that one wants the pictures today. If one has a trial which is dramatic and which is causing a great deal of interest, then one wants to know how Mr. Brown, the suspect, or Mrs. so-and-so, who was the motive for whatever, looked as he or she came into the courtroom at the very least, and not how the stock photograph of them that was taken two or three months ago made them look, because they may have changed quite dramatically. It is an aspect of news as to whether, for example, a suspect comes in jauntily, full of confidence and obviously quite sure of himself; or on the other hand comes in all sort of bedraggled and looking depressed and so on.

Hon. Mr. Welch: The member doesn't think that a suspect's privacy should be protected under those circumstances?

Mr. Cassidy: Obviously the suspect's privacy is not protected from any observers who happen to be passing at the time.

Hon. Mr. Welch: I mean visual.

Mr. Cassidy: Yes. They are not protected from visual inspection by any person who was there.

Hon. Mr. Welch: Who was there?

Mr. Cassidy: Yes. Let me come to the third point, and that is this: That to be consistent, this section should have a third subclause, and that third subclause should state quite simply that no means of recording should be permitted to a newspaper or other kinds of journalists who are present. In other words, they should not be allowed to have a pen or a pencil or any other device for writing a record of what they actually see.

Hon. Mr. Welch: Is the member moving that amendment?

Mr. Cassidy: No, I do not move that kind of an amendment. Let's face it, here we have a 19th century body right here, the Ontario Legislature; and we use electronics in order to amplify our voices, in order that we can hear each other better.

Hon. Mr. Welch: In court?

Mr. Cassidy: No, we do here. We use electronics here for that purpose.

Hon. Mr. Welch: In courts they do too.

Mr. Cassidy: But we do not permit the audio record of what we say to be used by radio or TV. In other words, the radio or TV journalists who are accredited to this Legislature do not have the right to keep an audio or hearable record. In other words, when the Minister of Justice gets up to make a statement about the problems of juvenile detention homes, or the Premier (Mr. Davis) gets up to make a dramatic statement about election expenses or some other important matter, or the Minister of Natural Resources (Mr. Bernier) talks about Algonquin Park; for print journalists the record can be kept in words. "Mr. Bernier said," such and so. For electronic journalists the record, in fact, is being made as it is said, and they would like very much to hear what the minister has to say, here in the House where the news is being made and not have him putting his own pastiche on it out there in front of the TV cameras and the microphones at that particular point in time.

Mr. R. Haggerty (Welland South): It is all right for the member though.

Mr. Cassidy: But we exclude from this Legislature, being a rather antediluvian type of organization, the electronic media, both television and radio. When we do so we make all sorts of excuses about how certain members might play up to the media and might play up to the cameras and that kind of thing. God knows, I'm sure the Speaker would say that certain members play up to all sorts of things right now. The Speaker has obviously had his hands full in recent days with some aspects of that and is trying to bring that under control.

This House is quite lively enough without TV cameras, and to suggest that it is going to become any different if there are TV cameras or if the electronic media are introduced, of course is clearly absurd.

The decorum of the House is something which is within the control of this House and within the control of the Speaker. If the Speaker starts to crack down on interjections and other things like that, he clearly has the powers to do that. The existence or absence of the electronic media is not going to affect that.

If I can force that analogy back to the courts, because that is what this debate is all about, the power of a judge to enforce decorum within a courtroom is pretty strong, and that power is exercised a lot more toughly, may I say, than the power to enforce decorum that belongs to the Speaker of the Legislature. I speak in a generic sense of all legislatures, not of this particular individual who occupies the chair right now. Judges can be pretty tough in using their contempt powers in order to enforce decorum and in order to preserve the dignity of the court. It seems to me that is where the question about the possible interference in transactions of the courts by the electronic media ought to be introduced and not here.

I don't know whether a continuous TV record of a trial, say like the Demeter trial currently under way, would be disruptive to what goes on. I have a hunch the first couple of times TV cameras were introduced in to the courtroom it would be a novelty. The lawyers would be looking around, the judges would be looking around and so on; and then it would become accepted as a matter of just a way of life.

Arrangements would be made in order to ensure the cameras were put into relatively discreet locations and that the camermen weren't panning around in front of every witness, six inches away from them and that kind of thing. Arrangements would be made to make sure that the paparazzi, the newspaper photographers, weren't also thronging in. Arrangements might be made with newspaper organizations to have a pool type of arrangement so that all the pictures in a trial will be taken by a pool photographer, whose pictures would then be used by the various news organizations involved rather than hav-

ing half a dozen newspaper photographers at a trial that is particularly dramatic. It might be in certain cases that a judge would require that because of possible interference the TV cameras took a record of a particular witness beginning his testimony, but then after that the cameras would be shut off in order to allow the trial to go forward. All of that is regulable by judges, and that is the way it should be.

It is a form of censorship, I am sure the minister would agree, to deprive newspaper reporters of their pens or pencils. It is likewise a form of censorship, which we exercise in this Legislature, to deprive TV cameramen of their visual record of what goes on in this House, to deprive the newspapers of a pictorial record—the right to take news photographs from time to time of this House—or to deprive electronic journalists in radio the right to take a feed from the amplifying system here in order that they can get a direct record of what is said in the chamber, rather than having to get it second-hand in the form of two-and three-minute interviews outside of the chamber. It is equally as much censorship to pass a bill which says not only that under no circumstances can you sketch, but take any kind of a pictorial record of what happens in a courtroom.

Having said that, I want to say to the minister—and perhaps this is a bit of a follow-on from our previous discussion on the previous bill—one of the things that flows from this is that the vast bulk of the public doesn't really have a sense or a feel of what goes on within the courts 95 per cent of the time. If it's a dramatic trial, they follow it quite closely and it's all like Perry Mason. The present case that is on in the courts right now is certainly that kind of thing. People know what to expect because they watch it on Hollywood television every night of the week.

The treatment of your common garden accused, the drunks, the break-and-enter fellows, the prostitutes and other people like that, the petty criminals who take up most of the time of the criminal courts, is often a disgrace and is often an affront to human dignity.

Those courtrooms, however, have their aficionados, a few people who go there from time to time. What happens in those courtrooms is known to people who are learned in the law and who practise there. It's known to the legal aid people. It's known to the social workers who come in to give probation reports, and a few other people who venture there from time to time.

I have to confess that some of the journalists who go and cover the lower courts tend to become awfully cynical and case-hardened at times, too. Occasionally a journalist will go in and, say, write a feature series on what's wrong with our courts. He will describe what happens and the kind of assembly line justice that is meted out. But it doesn't hit people directly. The general public doesn't go there as a matter of course. School children come to this particular chamber; and I would suspect more school children visit the Legislature in the average year than there are school children in classes taken into the criminal courts of this province. The minister is nodding his head.

Hon. Mr. Welch: Yes, I would think so.

Mr. Cassidy: We could see on television, in full, glorious colour, the Vietnam war a few years ago; but you can't see and feel on television what happens within the courts that are just a mile or two away. So many of us, as a matter of course, never get into them and never get any feel of them.

I am just as guilty of this as the rest. I spent a month covering criminal courts in Vancouver when I was a very green reporter. I've hardly been back there since. I hardly know what it's all about. Very occasionally I might poke my nose in — it would be about one day every three or four years—and as often as not it's because I haven't paid a traffic ticket.

Now on the merits of censorship that is exercised—which the minister may be about to get up and defend on grounds of the human dignity of suspects in a case like the trial that is currently under way—one has to balance that kind of thing. The balance is, shall we say, the dignity of the "better class of society," in quotes, and the opprobium he feels they might have from seeing their face on television as suspects; against the curative and reformative and informative power the visual press, the electronic record, the audio record, the newspaper record and the television record can have, if under conditions regulated by the judges these media were allowed into the courts.

I think when you look at it what you really find is that the minister is really defending the rights of the upper class of society once again. Some guy who is accused of breaking and entering, or something like that—

Hon. Mr. Welch: I'm not defending anybody in the courts.

Mr. Cassidy: Pardon?

Hon. Mr. Welch: I'm not defending anybody in the courts, as a witness or as an accused.

Mr. Cassidy: Okay. But the point I would like to make, though, is that somebody whose picture appears on television because they were accused on a break-and-enter charge has got a lot less to lose, if you will, than Harold Ballard in court for example.

Hon. Mr. Welch: Both are entitled to their privacy; the most humble or the most wealthy.

Mr. Cassidy: The procedure which is going forward is a public procedure. They are not protected from the public gaze of anybody who cares to go there.

Hon. Mr. Welch: There is no class distinction in privacy; all are protected.

Mr. Cassidy: But it is wrong to do that, I would suggest. This is an open, public procedure. We have open courts in this country. Just as we are meant to have an open Legislature. It's an anomaly that the Legislature is not open to the scrutiny of the various kinds of media. I would suggest that bearing in mind the question of the dignity of the court, which can be regulated, it is wrong that the courts are excluded from this.

If certain businessmen who were charged on economic crimes—if I can come back to this again—were to find their faces on television as they are convicted on a charge of misleading advertising or something like that, it may be that the penalty would have rather more impact than—

Hon. Mr. Welch: But their faces can be on television.

Mr. Cassidy: Yes, well if their faces can be on television, then the privacy can be interrupted anyway. Their faces can be flashed on television either way.

Hon. Mr. Welch: The only face that can't be on television is that which would show in the picture of them taken in the courtroom.

Mr. Speaker: Order please.

Mr. Cassidy: I don't see the distinction. The minister is being rather infectious in his interventions, Mr. Speaker, don't you think so?

Mr. Speaker: I think so.

Mr. Cassidy: You might even think of tossing him out, Mr. Speaker.

Hon. Mr. Welch: I am engaging—

Mr. Speaker: I think the hon. member is straying from the pure principle of the bill.

Mr. Cassidy: No, I have made my points. I hope the minister applies them, Mr. Speaker. The courts should be open, under conditions regulated by judges, to these electronic media. I suggest it would be a powerful force for reform of our judicial system, and on that ground alone this particular proposal in this bill deserves to be defeated.

Mr. Speaker: The member for Ottawa East.

Mr. Roy: Thank you, Mr. Speaker. I agree with the member for Ottawa Centre when he says it's unfortunate the press is not here in greater numbers to have input on this type of legislation which seriously affects them. But, after listening to his long discourse, Mr. Speaker, probably one of the main reasons they aren't here is because he is talking.

Hon. Mr. Welch: That is not fair.

Mr. P. D. Lawlor (Lakeshore): They still stay away when the member for Ottawa East is here.

Mr. J. E. Stokes (Thunder Bay): I don't see them rushing in now for his gems of wisdom.

Mr. Roy: No, I don't either—and I don't expect to see them rushing in.

Mr. Speaker, it seems to me, just from reading this legislation that while we agree with certain principles of this bill, the minister is bringing in legislation which, in my opinion, is not necessary. It seems to us that what the minister is trying to cure is causing many difficulties—and they have been raised by every member who has spoken on this bill—in terms of the enforcement of this legislation. It seems to me, Mr. Speaker, as one who has experience in the courts and who has been around the courts during most of my short period in the legal profession—

Mr. Stokes: In what capacity?

Mr. Roy: In all sorts of capacities.

Hon. Mr. Welch: Does the member agree with the section 3?

Mr. Roy: With section 3? I agree with certain principles of section 3, but I feel that type of enforcement can be left in the hands of the individual judge, who has all sorts of power of contempt or otherwise to regulate regalia and the paraphernalia and the various though, that by trying to legislate it in this way, the minister is causing great difficulties in its enforcement.

For instance, one of the difficulties—and I have discussed this matter with the member for Downsview—is, first of all, what is meant by the environs of the courtroom or the building? This is extremely difficult to define. What happens, for instance, if an individual has a zoom lens on his camera; you know, one of these lenses with which he can take a photograph right on the steps of the courthouse from a building across the street?

And what happens when, as was often the case in Ottawa, the press comes around and wants an interview with the Crown attorney or some legal officer on the steps of the courthouse? This bill, I suggest to you, Mr. Speaker, would in some ways restrict that.

What is meant by the words, "make graphic portrait or sketch"? For instance, if a newspaper reporter decided to make a written sketch of the minister, and said he wore glasses, was short—

An hon. member: Ugly.

Mr. Roy: —balding, aggressive, dressed in such-and-such a suit, that in a way would be a sketch.

Hon. Mr. Welch: Balding?

Mr. Roy: "Receding hairline" would be more complimentary. What if he gave that type of a sketch Mr. Speaker? Would that be prohibited under this bill?

Hon. Mr. Welch: Discriminatory.

Mr. Roy: But that is the type of problem we will be running into. Frankly, the minister should have put a period in the bill after the words "electronic means" and stopped right there. For what is the difference between a reporter who is jotting down notes and the fellow who is making a sketch in the courtroom? I don't really see that much difference in terms of hurting the decorum and the order of the proceedings in the court.

I could see problems where photographers were coming in and jumping over the tables to take photographs of witnesses, counsel, the judge or the jury or otherwise. I could also see some problems if television cameras were zooming in and moving around, lights were going on and off and so on. But when we have an individual who is just sketching, what's the difference between him and the fellow making notes?

My point is, Mr. Speaker, is simply that I don't feel the legislation is even necessary. We attempt to appoint more responsible judges who can control the order and the decorum of the courtroom—and in fact, some of them go too far. I don't know if you read in the paper the other day, for instance, that a judge in Pembroke said that witnesses must come in wearing shirts and ties. Well, they were coming in for divorce proceedings. I think that's a bit much.

Mrs. Campbell: Ladies would have to wear hats if—

Mr. Roy: On the other hand, when a judge is regulating a procedure in a courtroom in this province I have not seen many abuses. Maybe the notoriety of the particular trial going on now in London might have something to do with this type of legislation, but regarding the decorum of the courtroom itself, I have not seen, in my relatively short experience Mr. Speaker, any abuses of this.

We have not allowed photographs in a courtroom, we have not allowed television cameras in a courtroom; but people have been allowed to make sketches, just like they are doing, for instance, in the trial going on in Washington now involving the former right hand people of Richard Nixon. They are making sketches there. So I would say, just in closing, that the legislation is not necessary and by bringing in this type of legislation the minister is creating more problems than he is really solving and he is going too far with it.

Mr. E. R. Good (Waterloo North): Who asked for it anyway?

Mr. Roy: One of my colleagues is asking who asked for this type of legislation? Is it the judges, who feel they can't control it, or is there some public demand? Where's the public outcry for this type of legislation?

Mr. Speaker: The member for Lakeshore.

Mr. Lawlor: As to the section on the lis pendens, I think that's perfectly sensible and satisfactory.

Mr. Cassidy: There's one good word for the minister. In fact, it is two.

Mr. Lawlor: We can concede that much. But hasn't the regimen of courtrooms in the past 25 years become somewhat less formal, stodgy and sanctimonious than it was in the past? Isn't the current thrust in law reform in Great Britain, and numerous texts have been written about this, taking issue with the continued prolongation of wigs and all the regalia andt he paraphernalia and the various robes and rigmarole that go into this thing; and the interminable "Oyez, oyez, oyez" and all that blatant nonsense.

Hon. Mr. Welch: Section 3 is, in fact, part of the English law as well.

Mr. Lawlor: It is all tied in with the same thing, with the panoply, the pretence and the show. The thing is designed, basically, as some kind of puritanical mid-19th-century god with a big eye looking at the human race, particularly from the bench and from where the Attorney General sits, casting the fear of the Lord into as many culprits and otherwise perfectly reputable citizens as it possibly can. The chief motivation is coercion, fear and the imposition of authority for its own sake. This, basically, is what this section 3 does. It's a prolongation of the same venal mentality in this particular regard.

Mr. J. A. Taylor (Prince Edward-Lennox): What has the member got against wigs?

Mr. Lawlor: There hasn't been, so far as I know, any demand, any call for, any clamour in the minister's ears or elsewhere that he bring in legislation of this kind. It's out of the whole cloth, as far as he is concerned this afternoon. It is visited upon us. We have rather more important things to do around here, I suspect, than work in this particular area.

What he has been influenced by is certain rather notorious trials in the United States of recent years. The Milwaukee 10 or the Chicago Five or the Boston 4¾ have all come to his attention, and in his gentility he has been appalled by what he has seen on those occasions and he is not going to let it happen here.

Well it doesn't happen here. Go into a courtroom. If one is sitting in the body of the court, any court in this province, one can't make notes, one can't make sketches, one can't do a damn thing. One sits there and listens. At counsel table one just has a certain ability to make sketches and notes. I suspect the sketches are more to the point, in most instances.

May I point out that in the Attorney General's hall here, and certainly if it's not there—and I haven't inspected his office that closely—in every legal office of this province, the walls are lined with sketches of Mr. Justice Croker, Lord Russell of Killowen, old fellows like Devlin, Mansfield—all of them. They are all in caricature, admittedly, all getting the point through, sometimes with the sourest faces you have seen. Where does the Attorney General think they do those things? Does he suspect that they do them from memory out in some pasture when they are looking at the sunrise?

Mr. Singer: Beyond the environs?

Mr. Lawlor: They sketch them, and have done by tradition, in the British courts. They sketch them on the spot when the scowl appears, and even when the wispy little smile sometimes lightens up the countenance—Dreadful looks, anything.

So what the Attorney General is doing is making basic incursions upon the forensic artistry of this province, a thing that he should be very careful of doing. It will cut off a whole realm. You can't have a judge go into his chambers and ask him to pose. He will put on such a pompous air that you could never possibly want to take a sketch, graphic or otherwise. But if you catch him unawares in his periodical tantrums or something like that, then you have got the man to the heart.

What is the Attorney General doing? He is working into this, cutting it all off, and there is no necessity for it. Powers of contempt, I believe, are very extensive even beyond the courtroom doors with respect to the doings in a courthouse. The Attorney General wants to extend them out into something called the "environs"—whatever that means. I suppose 1,000 ft from the courthouse down on University Ave. one may not take a picture of the co-respondent in this particular divorce case. That is wiped out under severe penalty. You can't do it in the body of the court, in any event, without being liable to possible contempt proceedings.

What is all this about? Why does the Attorney General consume the time of this Legislature in bringing in legislation of that particular kind? Well, he may argue that the purpose, at least, leaving the sketch business aside, is to prevent a circus occurring in the courthouse, and even in the environs in the sense of the front door, but when has a circus occurred in our jurisdiction? One doesn't bring in supernumerary legislation to meet some kind of nebulous possibility; that is not the purpose of law, and the Attorney General of this province should know it.

Mr. Speaker: Does any other hon. member wish to speak to this bill? If not, the hon. minister.

Hon. Mr. Welch: Mr. Speaker, I do want to make one or two comments on second reading, and I understand that it would be the wish of members of the House that the bill would go to committee so that we would have the advantage of rereading the debate, and then going into some more detailed consideration, particularly with respect to section 3.

However, I would like to make some general comments with respect to the principle. The hon. members for Riverdale and from Ottawa do question the need for an expansion in the size of the membership of the court of appeal. They will recall that when I introduced this legislation I did mention the fact that we were expanding the size of the court of appeal from 10 to 14 because we felt it was warranted by the extremely heavy burden on this court.

Indeed, the criminal appeal caseload of that court has grown by 100 per cent since 1963, and at that time I did report to the House as well that between the Oct. 1, 1972, and Sept. 30, 1973, the list of criminal appeals pending had increased from 495 to 629. In addition, I pointed out that there had been a substantial increase in the civil appeal burden over the last 10 years, although not so great as the increase in criminal matters.

We could reduce this to percentages of workload and so on, but I would point out—and I am glad the hon. member from Ottawa did make reference to the Ontario Law Reform Commission report on courts administration and on the advantages of giving some consideration to court organization. Indeed, as I mentioned, insofar as some of the legislation was concerned earlier today, we are very much into that report and, indeed, have established an advisory group representative of all the various benches in order to give some consideration as to how we might move with respect to those recommendations.

I would think perhaps one of the reasons we wouldn't move into the High Court area, to which the hon. members for Riverdale and Ottawa Centre make reference, is that before we do we would have to satisfy ourselves with respect to what the implications might be with respect to the implementation of some of these recommendations. No matter how one looks at it, it would have nothing to do with the Court of Appeal, because however one organizes efficiently with respect to the lower courts doesn't preclude the fact that there is an increase in the appeals to the Court of Appeal.

Anyone who has taken a look at this within the context of that report itself, agrees that there is an increase in the workload. There may be some disagreement as to how we might best solve the problem. There has been some thought that we might, in fact, refer some criminal appeals to the divsional court rather than to the Court of Appeal. There is a very logical argument given for that as well. But here, once again, in the consultative process I've been persuaded that the way to meet the particular problem of the increased workload with respect to appeal is to increase the number of justices in that court. In general, this is the reason and we can provide—and I'd be glad to have that for committee stage—some detail as to how that work has increased.

The member for Ottawa Centre made some reference to the Landlord and Tenant Act. Rather than prolonging my response, I would draw his attention to sections 107 and 108 of the Landlord and Tenant Act which would seem to correct some understanding he has with respect to that legislation. I have sensed that there is a general consensus that section 2 is of no concern.

Mr. Cassidy: I will let the minister have that one.

Hon. Mr. Welch: We will then just take that as agreed upon. I am very anxious to discuss very generally some of the reasons behind section 3, which it is quite obvious concerns some members of the House. I have found the debate very helpful. I want now to review the debate, and I want to add to it the reasons for the introduction of this particular section of this part of the legislation. Then we'll have the opportunity in committee perhaps to go into it in more detail.

Apart from the general power possessed by a judge over proceedings taking place before him and in the vicinity of his courtroom, I'm advised that there is no authority governing the matter of whether and under what circumstances the taking of photographs, the making of sketches or the televising of activity at or associated with a judicial proceeding is capable of being controlled. I think it's quite right that over a matter of years certain customs and certain traditions have developed.

Mr. Cassidy: That exist within the courtroom but not outside.

Hon. Mr. Welch: Someone raised the quite proper question, how did this matter come to a head and why am I troubling the House with this? We did have a particular situation where the Canadian Broadcasting Corp. did request permission to have its television crews given access to courthouses in Ontario. They were particularly anxious to move in to televise some proceedings with respect to, I think, an adoption case of some importance at that time.

Mr. Singer: That's inside the court.

Hon. Mr. Welch: This was brought to the attention of the Ministry of the Attorney General. It was a specific request and, in the review of the matter, it was found, as I have just mentioned, that there indeed did not appear to be some authority with respect to this. Certain customs had been built up and, therefore, having had a specific request to which there had to be some reply it was found that we perhaps should in some respects codify and place in the statute what had grown up to be the practice in this particular regard. Having done that, I sensed, except for some comments made by the member for Ottawa Centre in the general area of the visual media being denied access to the courts, there would be some agreement with respect to some of the electronic devices and the cameras.

I think the House is entitled to know some of the reasoning which then prompted us, because of this specific request and, therefore, the review of the matter, to bring in section 3 in the form it is in.

A review of the general problem, with respect to the taking of photographs and the making of sketches of the televising of activity, was undertaken within the ministry and I'd just like, as I say, to share with members, in summary form, what the results of that review produced.

No. 1: I think it was reasonable for us to assume that the protection of the dignity and the personality and the privacy of the individual was worthy of some consideration. Particularly those people who through force of circumstance have become participants in the judicial process, many of whom, of course, are certainly less than being voluntary participants in this whole process.

I would point out to you that it's a well known phenomenon that a great many citizens who participate in judicial proceedings, whether they be witnesses or jurors or complainants or litigants or the accused—well, I shouldn't use "the accused" there, but certainly taking that out—do so because it is their sense of public duty. Their interest in pursuing justice outweighs their reluctance to be brought into the public eye.

It is essential, I would like to put on the record, that these participants be assured that photographs or other visual reproductions of themselves will not be made during the stress, and indeed the occasional distress, that they undergo during the trial process or other proceedings associated with the administration of justice in the province.

I would just ask members, and there will be some time between now and when we get back into committee, to think about some of these things in the spirit of a debate. This isn't a hard partisan difference of opinion; I think members are entitled to have some of these reasons to add to their own perceptions.

Wouldn't you agree, Mr. Speaker, that it is undeniable that most persons are, at the very least, apprehensive about an appearance in court? In some situations, for example with respect to complainants in rape cases, the possibility of being filmed, sketched or photographed during their attendance at the proceedings, would result in extreme mental anguish or indeed in some cases even fear.

Mr. Singer: Has that ever happened?

Mrs. Campbell: Those are the cases that should be photographed; so often they aren't.

Hon. Mr. Welch: The point is—I'm not impressed by the question, "Has it ever happened?" Up until now we have never allowed pictures to be taken or the television cameras to be used. But wouldn't the members of the House agree that when you have a request, a specific request for permission to go in and televise a particular proceeding or the people involved in it, that to be consistent, you would have to consider the whole area of visual recording?

Mr. Singer: I can just picture what would happen if the minister gives his consent and a particular judge disagreed with him.

Hon. Mr. Welch: I'm just asking the members to think about that. Wouldn't my hon. friend be here today arguing with me, in some respects and I ask him to think about this, if I was trying to make some distinction about the type of visual recording that could in fact be undertaken?

I mean an artist can still catch the person at their emotional moment; he can catch the anguish they are experiencing as well as the camera.

Mr. Cassidy: But that can still be done under the bill.

Hon. Mr. Welch: The point is that that's for each to consider from his own point of view.

Mr. Cassidy: That can still be done.

Hon. Mr. Welch: The judicial process, as I would remind myself and I've been thinking about this prior to introducing it, deals with ordinary human beings and not with a re-

markable class of individuals who are above, or immune to, psychological strains.

In addition, what really would have to be recognized, is that many of the people who are present at judicial proceedings are really innocent people who are there under compulsion and most of them really don't want to be there at all. They, in this regard, ought to be protected by law from unnecessary and indeed unwanted publicity by the taking of pictures or the making of sketches in and around courtrooms—

Mr. Cassidy: But their names appear in the papers.

Hon. Mr. Welch: I will get to that particular point: This would be an unwanted invasion of privacy and on these grounds, such activity is objectionable, whether done overtly or surreptitiously and without undue disturbance; I think there's a point of view. Members may not agree with it, but that's one of the reasons.

Secondly: there is the protection of the interest in ensuring the continued co-operation of individual members of the public with the machinery for the administration of justice. The proper functioning of the processes for the administration of justice in the province, I hope the members would agree, would depend to a considerable extent upon the voluntary co-operation of people who have some knowledge about or information relevant to pending litigation or proceedings in which the rights, either public or private, of themselves or others, are at issue.

The knowledge that photographs or sketches or televised recordings could be made and published of those persons who come forward to co-operate in the administration of justice may in some cases have a very serious effect. In fact, it might well influence whether or not there would be any voluntary involvement at all.

We've talked about maintaining the image of justice, and I know we might have different points of view with respect to what that image should be and how that image should appear—

Mr. Lawlor: Blind, with the two scales in our hands.

Hon. Mr. Welch: People themselves agree that the dignity and the calm and the dispassion of the courts and their surroundings really has to be maintained.

Mr. Singer: It is seriously threatened, then?

Hon. Mr. Welch: No, I am not suggesting that it's being seriously threatened.

Mr. Singer: Then why does the minister need the legislation then?

Hon. Mr. Welch: I am suggesting that we codify. The point is, up to now, cameras have not been allowed in. But in the reviewing the matter, we found there was really no authority for that. We're now putting it into a statute, so there can be no question—

Mr. Singer: The judge has the authority.

Mrs. Campbell: Doesn't the judge still have authority in those courts?

Hon. Mr. Welch: —no question with respect to this. Courtrooms and court buildings exist solely, I suggest to you, for the purpose of the fair and impartial administration of justice. And so it is essential that the setting in which a court operates reflects the seriousness and importance of its test.

But I want to get to the point the hon. member for Ottawa East mentioned, about the publicity of proceedings and, indeed, the role of the press.

I think it is important to see the distinction that we are, in fact, not excluding the public from the courtrooms, and we are ensuring that there is a method by which the public is informed as to what is going on in the courtrooms through the print media and through the electronic media as reporters report to their constituency of the details of the proceedings.

Administration of justice in this province, as all members know, is carried on in public under the common law system. This is safeguard to the litigant and to the accused person, as well as to the public interest.

It is obvious that the customary presence of the written press has for centuries protected the participants in judicial proceedings. It is also obvious that the special capability of the visual press—and I think this is really one of the points—which, in addition to disclosing factual appearances, enables it to disseminate photographs, sketches and televised pictures of the participants if allowed, would not result in any greater protection to these individuals—but only in greater publicity.

I think that point has to be made. They would become objects on display to satisfy the inquisitiveness of the community at large. It would be wonderful to have a picture of somebody cracking up under the strain. Nice to see somebody with their—

Mr. Singer: Now the minister is whipping a straw man.

Mr. Lawlor: He can stand a word picture, but he can't stand a visual picture.

Hon. Mr. Welch: What does that add to the public right to be informed with respect to what's going on in the proceedings?

Mr. Cassidy: What about the person sentenced to three months for failing to support his family?

Mr. Singer: Oh, come on—how will that happen?

Hon. Mr. Welch: Just to satisfy some inquisitive people in the public who like to see people under psychological stress.

Mr. Lawlor: I wonder what McRuer will say to that.

Hon. Mr. Welch: I point out to you, Mr. Speaker, that this increased cost to the individual—

Mr. Cassidy: What increased cost?

Hon. Mr. Welch: —this increased cost to the individual who attended before our courts would really not be balanced. I invite the members to think about this, because they used the word "balance." I think this is what judgement calls are all about, when you balance various interests. I do suggest to you, with the greatest of respect, that this increased emotional cost to the individuals who attended before our courts would not be balanced by any increased benefits to them. The benefits coming to them and the protection to them is the fact that they are public and the proceedings are, in fact, being recorded to the general public or to the system for the administration of justice.

Further, it is clear that the public interest in seeing justice done is different in kind from the public interest in seeking that justice is done. The latter concept, I remind myself, includes the careful maintaining of the dignity of the forum, free from the pressures and distractions which could distort the solemn process of adjudicating upon legal rights. Now, I agree—and I could go on with these particular reasons—but I agree that there could be honest differences of opinion on this subject. I simply would want to assure the House of the validity of the reasons that I have given, along with this whole question of reminding ourselves that no more difficult task exists in any civilized state than to establish within acceptable legal boundaries the truth or falsity of any assertion of fact from which legal consequences follow—the whole process of adjudication.

I think it's important that we have people who are there either voluntarily or non-voluntarily, fully understanding that what they say is being recorded, fully understanding that the public is being informed with respect to the proceedings there, but not with the added cost of having people photograph them under these circumstances or, indeed, in those circumstances making some other visual representation.

Mr. Cassidy: The Attorney General is defending censorship.

Hon. Mr. Welch: No, I am not; there is no censorship here at all.

Mr. Cassidy: Yes, he is.

Mr. J. A. Taylor: The member wants public hangings.

Hon. Mr. Welch: All I am saying is that there is no added protection in our society to the individual simply by allowing some picture-taking as a further reporting to the public. All it is is more publicity to the particular case.

Mr. Lawlor: I think the government should pass a bill safeguarding us politicians from being photographed.

Hon. Mr. Welch: Well, the debate with respect to what goes on here is another matter. I am talking about the courtrooms.

Mr. Lawlor: I think it is just dreadful that we are subjected to that pillory.

Hon. Mr. Welch: I remind the members that if I were charged with any serious offence tonight my picture would appear, no doubt, in papers; if I were tried my picture would appear. There is nothing to stop people from returning from the courtroom and drawing sketches, or talking about what witnesses, accused people or litigants are subjected to in the courtroom or the environs of that court during the proceedings. We are not talking about the publicity that might happen under other circumstances.

Mr. Cassidy: But it doesn't come through in the same way. Talk to the issue of censorship in addition to the other issues.

Hon. Mr. Welch: There is no censorship at all. I won't accept that as an argument, but I do remind the members that for the reasons which I have set out, and balancing all of these matters, I came forward with this

legislation to establish a known rule with respect to visual representatives in the vicinity of judicial proceedings. I appreciate the fact that there can be honest differences of opinion, and I wanted at least to put this particular point of view on the record, along with others that have been expressed, and ask the members of the House if they would in fact accept this. Then when we get into committee stage we can have some more detailed discussion with respect to the language that has been used.

Mr. Speaker: The motion is for second reading of Bill 139.

Shall this motion carry?

Carried.

I understand the bill is to be sent to committee. Which committee?

Hon. Mr. Welch: Committee of the whole House.

Mr. Cassidy: On a point of order, Mr. Speaker, are you not going to call the "ayes" and "nays" on the second reading? There were a number of "nays" that were registered at the time you called it.

Mr. Speaker: I didn't hear "nays."

Some hon. members: Nay!

Mr. Speaker: Oh, were there "nays"?

Mr. Cassidy: Yes.

Mr. Speaker: Well, I am sorry, I did not hear them.

Those in favour of Bill 139 being read the second time will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to; second reading of the bill.

Hon. Mr. Welch: Committee of the whole House.

Mr. Speaker: Committee of the whole House.

Mr. Cassidy: On a point of order, Mr. Speaker, I'd just like to direct this through you to the minister. I think there are some fairly cogent problems of principle here which affect the press, who are the people affected by this particular bill. I don't know if there is any reason for urgency in passing the bill tonight; I would like to ask the minister whether he would be willing to let the bill sit on the order paper for about a week and then hopefully have it considered for one day in committee outside, so that any news organizations that wish to comment on it could express their views, rather than having it go through now.

Hon. Mr. Welch: Mr. Speaker, if I may comment, this bill was introduced on Nov. 14. We are having second reading today.

Mr. R. F. Nixon (Leader of the Opposition): You can see how eager they are.

Mr. Singer: You can see them hanging on his words.

Hon. Mr. Welch: I must point out that section 1 is a fairly important matter with respect to the expansion. I don't intend to proceed with it in committee stage today. I think we could let it stand over until the first of next week. I can't guarantee that it would be a week before it would be called again, but we will have it in committee, hopefully, with the concurrence of the House here, early next week.

Mr. Lawlor: There are an awful lot of judges out there just champing at the bit to get appointed.

Mr. Singer: The Attorney General doesn't want to go to committee today?

Hon. Mr. Welch: No.

COMMUNITY RECREATION CENTRES ACT

Hon. Mr. Brunelle moves second reading of Bill 137, the Community Recreation Centres Act, 1974.

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, I have a few remarks I would like to make on second reading, to give an explanation on the bill. With second reading of the proposed Community Centres Act, I would like to explain some of the highlights of the changes that the new Act contains.

First, it would be useful to review the purpose and intent of the grant programme and the degree to which it has been utilized in the public interest. The Community Centres Act became a part of the Statutes of Ontario, 1948, when it replaced the former Community Halls Act. It was originally administered by the former Department of Agriculture, later the Ministry of Agriculture and Food, to ensure that community centres and recreation facilities would be established in all areas of the province. While both

urban and rural municipalities, including Indian reserves, qualify for these grants, the impact of the programme has been much greater in rural communities and unorganized territories where prior to the introduction of the Act there existed few, if any, alternative facilities for recreation or other organized community activities.

Over the years, amendments have been made to the Act in order to update it in line with the times and as well as with the changing growth pattern of the province. Most important, as a result of this programme, it is fair to say that hundreds of communities, many without sufficient local resources, had been able to enjoy the benefits of well-planned and equipped recreation facilities, and a community centre where meetings and other social functions might be held.

With the reorganization of government, administration of the Act was transferred in April, 1972, to the new Ministry of Community and Social Services. Since my ministry assumed responsibility for this programme in 1972 and until the end of our last fiscal year, March 31, 1974, the Ministry of Community and Social Services has paid out a total of $6,419,100 in grants to help provide 1,500 community facilities. The growth of community interest may be illustrated by the dramatic increase in demand from the fiscal years 1972-1973 to 1973-1974. Projects supported last year almost tripled over the previous year, jumping from 364 projects to 1,136.

To explain the current amendments to the Act itself, the first obvious change is that of the name being changed to the Community Recreation Centres Act, which was made simply to clarify the intent of the grant programme. We have also broadened the definition of a community recreation centre to mean land or all or any part of a building or buildings or structure established under this Act that is maintained and operated for community recreation activity. This will provide a legislative flexibility through broader regulations needed to accomodate present and future trends in community recreation activity.

In the previous Act, the types of facilities eligible were named and strictly defined. In the new Act, only municipalities will have the authority to establish community recreation centres in organized areas. Grants to boards of education will in future, for the purpose of this programme, be restricted to unorganized territory. While the new Act clarifies that joint agreements may be entered into by municipalities for the joint establishment or joint use of community recreation centres, boards of education are excluded from joint agreements under this Act. However, joint establishment and use of centres by boards of education and municipalities can be effected under section 36(a) of the Schools Administration Act.

This change will not affect community recreation centres already established by boards of education in municipally organized areas. The proposed change will facilitate continued community planning at the local level, while enabling controlled planning and avoiding any duplication. This specific change, which also clarified that all assets and liabilities of the community recreation centre vest in the establishing municipality, was made in light of an amendment in the Schools Administration Act, 1972.

The 1972 amendment in the Schools Administration Act contained new provisions designed to provide a stimulus to the total community use of schools. School boards and municipal authorities are now able to work out agreements to share costs through joint planning of building and operating facilities for recreational, cultural, educational, administrative or other community purposes. Hence this change in the new Community Recreation Centres Act was made in light of this amendment to the Schools Administration Act, and is intended to avoid unnecessary duplication of facilities. Boards of Education will, however, along with Indian band councils, continue to have the authority to establish recreational centres in unorganized territories.

Also in the new Act, provision is made for the approval by the minister of non-profit, private corporations that may be paid grants for establishing community recreation centres in unorganized territories. These private corporations will be of a charitable, educational or social nature. We hope this provision will greatly improve the service to communities and territories without municipal organization.

By the new Act, the maximum amount of capital grants will be the same for all types of community centres. Moreover, it is proposed that the maximum level be raised. An increase in the amount in the maximum grant ceilings is defined as the lesser of $75,000 or 25 per cent of the project cost. This will provide equal encouragement for all types of facilities according to local needs. The increased maximum, up from $25,000 to $75,000, will allow for improved financial assistance more in keeping with rising construction costs.

Pre-approval of plans will be required in the new Act. Provision is made for repayment of grants where there is a change in the site or use of a community recreation centre.

The establishment of committees of management, previously boards of management, is discretionary rather than mandatory. This will allow greater flexibility to municipalities to manage their centres according to local needs and conditions. In other words, this eliminates the necessity of creating a board in a small community simply for the sake of operating a facility such as an outdoor skating rink.

To conclude, Mr. Speaker, I feel satisfied that this is a greatly improved Act. The amendments brought forward clearly indicate the importance with which this government recognizes the local community as a social, educational and recreational centre. With an improved level of financial support in light of the changing nature and trends in community recreation activities, we are not only assisting local communities in meeting the rising costs of labour and materials but we are encouraging our citizens, young and old, to participate in community activities.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: Mr. Speaker, now that the minister has reviewed the whole Act, it eliminates the first part of my speech—a rather doubtful procedure, I would think, in dealing with second reading of a bill. However, there are some comments I would like to make.

In the broad sections dealing with community centres, the definition of a community recreation centre would appear to me to give a broader scope of projects which can be included under the Act. I presume such things as tennis courts, bowling greens, ski slopes and curling rinks, which couldn't be included before, now could be included in the projects. If that be the case, we are certainly in agreement with that.

In addition, the corporations defined here as being of a charitable, educational or social nature, without share capital, now would also be considered to be proper organizations, as well as municipalities and school boards in unorganized territories, that could apply as a body to receive a grant.

The council or a committee of management now can look after the community centres, which means that many councils that have brought their recreation committees back under council now will manage them directly.

The one question that probably is in my mind is that while a municipality is allowed to apply jointly with another municipality, is there any provision for a joint sponsorship by a school board and a municipality? And did I understand correctly, Mr. Speaker, that this can be accomplished through the Schools Administration Act? The minister will probably answer that later.

The previous commitment of funds—$10,000, $15,000, $20,000 or $25,000, depending on the type of building—now is consolidated into one section, which says the minister may pay up to $75,000 or 25 per cent of the actual costs, whichever is the lesser amount, and makes provision for larger grants if the minister sees fit.

Now, that's the good news. I'd like to say a little bit about the bad news. It is simply that the minister brought to light in his statement the fact that the grants of 1973-1974 were triple those of 1972-1973. Well, is 1972-1973 not the year when the minister cut off grants to all municipalities over 25,000 and there was a time when no grants were being given at all? There were months and months and months when those municipalities that had projects in the works didn't know if they were going to get approval or not.

In other words, the lack of funds slowed the whole system down to such an extent that I think the minister has deliberately taken the very low year to draw a comparison with last year, so that he can come out and say the grants have jumped from 364 projects, to 1,100 projects and the amount of money has tripled over the previous year. He is comparing a normal year with the year when he froze all of his grants for recreation and he did not allow any grants to municipalities over 25,000. Then in March, 1973, the minister reviewed the matter again and said that he would now allow applications from municipalities over 25,000, and we were back on the former schedule of events, except for one or two things. First of all, he said that he'd like to announce that there is now a pre-approval system that will be introduced for a new project. This pre-approval system is carried forward into this Act.

Hon. Mr. Brunelle: Pre-approval of the plans.

Mr. Good: Pre-approval of the plans is carried forth into this Act. The second part of the statement which, I presume, is still policy of the ministry, which caused me great concern is that municipalities would need "to obtain approval of their project if they

wish to obtain a provincial grant. Approvals and resulting grants will be based on assessment of municipal need and resources." This is from the minister's statement of March 28, 1973. I am greatly concerned that that is still the policy of the minister, that the need within the municipality and the resources of the municipality are going to be the bases on which the minister decides whether or not it is going to get a grant, because this legislation simply says the minister may, out of moneys appropriated make the necessary grant to the municipality.

There is wide discretionary power, Mr. Speaker, as to whether or not the minister is going to give a grant to that municipality. The reason I think we should be a bit apprehensive about this is that it is not many years ago since this was under the Minister of Agriculture and Food (Mr. Stewart) and many municipalities were not aware of the grants. When they did become aware of them, my gosh, if the building was even half erected or erected, they could go back and pick up their grants. As long as they met the conditions that the municipality either through money or land on which he building would sit, as long as it had contributed their share, which I think was 25 per cent, there was invariably a grant coming through from the government for that facility.

The grant was not as large then, granted, and there didn't seem to be very many instances—in fact, as far as I am concerned, there were no instances—in which a municipality made application for the grant that it didn't get it. It was pretty much of an automatic affair in those days.

I am a little apprehensive now about the discretionary power given to the minister and of his statement last year when he said grants will be based on the assessment of municipal needs and municipal resources. I would like the minister to say a word on that when he replies for the second time at the conclusion of the debate. Thank you, Mr. Speaker.

Mr. Speaker: The member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker. I have a few comments that I want to make. We welcome any change in the Act that would provide assistance to municipalities, large or small, organized or unorganized. We welcome the changes that have been made and the intimation by the minister that there will be at least some relief. As the minister well knows, there are a good many communities which lack the ability to generate any amount of funds of any significance.

While he has increased the upper limits substantially from $25,000 or 25 per cent, whichever is the lesser, to $75,000 or 25 per cent, and this is welcomed by any community that can generate any funds at all and is able to come up with the other 75 per cent of the capital costs, I want to remind the minister that in a good many of the communities that he represents, and I represent, there is no recreational outlet available. Many people aspire to better use of leisure time, which people have on their hands to a much greater extent than they ever had before. A lot of them don't like to sit and listen to a radio, and some of them don't even have radio reception, as he well knows, and some of them don't have television reception. Other than getting out and enjoying a snowmobile, this is the only recreational outlet they have in many, many areas in the far north.

I am particularly concerned about the inability of these communities to participate in the way that I feel and they feel they should, within the provisions of this changed Act, the Community Recreation Centres Act. I think it falls far short of the mark, unless there is something I don't know about that is covered in the regulations and that was not indicated when the bill was introduced.

When we consider that the Lieutenant Governor in Council does have the authority to make regulations "governing applications by municipalities, boards, approved corporations and bands for payment under this Act, and prescribing the terms and conditions upon which such payments may be made and the time and manner of payment," unless there is some considerable relief and some provisions within the regulations that gives the minister sufficient flexibility to take into account the special needs of people in these small communities, many of them unorganized, in many of them the only kind of formal organization they have, or legal entity that they might have is by virtue of the fact that they happen to belong to a particular school district.

Any participation that they may have in the provisions of this new Act will be under the auspices of the district school board, if they don't have the ability to form themselves into some kind of legal entity which will allow them to participate. So the first allusion to any regulation is far too vague. Of course, I don't want to be hypercritical but I think that I would like a much more definitive explanation of the ways in which those small communities may participate above and beyond the 25 per cent figure, which is the

only one which is alluded to in the body of the legislation.

Another of the regulations says, "prescribing the uses to which a community recreation centre may be put and the accommodation which may be provided therein." Of course, this will rest almost wholly and solely with the minister and I think it's far too general, far too all-encompassing. Surely, if he is giving authority to small committees or boards in communities, whether they be with or without municipal organization, I think they are in a position to decide the best use to which these facilities are going to be put.

I think it's far too restrictive to suggest that the minister, or whoever is given the authority, can dictate by "prescribing the uses to which a community recreation centre may be put." As the minister well knows, in many communities in the north there is only one facility for all of the recreational or social activities that can be undertaken in a small community.

Mr. Good: Entertainment by the members of the Legislature.

Mr. Stokes: That's right. We do that on occasion. Just hearken back to 1968; it was the only facility that could be used on that particular occasion and nobody took exception to it. Surely the minister has many communities in his riding where they have extreme difficulty just to find a meeting place. Whether it is for a home and school meeting, whether it is for a social evening, whether it is for bingo for a charitable purpose, whether it is to have a place for a visiting politician to speak—there is only the one facility.

My own home town, for instance, has a population of 2,100. They are a closely knit unit in society and we do get a high degree of participation. But there really isn't a facility in that town of 2,100, unless you use the high school gymnasium, which is quite often used for other things. We don't have a facility that is large enough to accommodate the number of people who choose to gather together. It might be for a fund-raising event that captures the imagination and where the entire community wants to participate.

I want to assure you that twice within the last two months we have had the entire community honouring couples who were celebrating their 60th wedding anniversaries. And do you know that we didn't have a facility in a town of 2,100 that was large enough to accommodate those people who had come from miles around to honour these couples celebrating their momentous occasion?

Now say it is going to cost $750,000 or up to $1 million in order to provide that kind of facility. Now, if the municipality has to provide 75 per cent of the capital, you can understand, Mr. Speaker, they are going to have to debenture over a long period of time. This would not likely get approval from the municipal board, particularly when we have just completed installation of sewers in that town, when we are just in the process of spending about $1 million to repave all of the streets and do all of the things that you have to do after major construction of that kind.

So that there is nothing in this Act, as I say, that helps the small community of 2,100, that I represent, or even a much smaller community that the minister represents. And heaven knows, he knows as much as I do about the inability of many small communities to provide that kind of facility. Those are just some of the reservations I have about this. As I say, I don't want to sound uncharitable or too pessimistic about it. I am hoping that when the regulations do come out that there will be sufficient flexibility in it to cover the needs that I have expressed.

Say you have got an unorganized community that doesn't have its own school, for instance. They are busing children 30 or 40 miles to a larger unit to provide a much better educational facility for them. Rather than them having to commute 40 or 50 miles or remain after school in the larger community, couldn't we find it possible to allow these people—who will band together and they can seek incorporation for $20 through your colleague, the Minister of Consumer and Commercial Relations (Mr. Clement)—to make the fairly significant decision that are going to have to be made in terms of their recreational and social requirements.

A lot of these small communities and the people living in them are most apprehensive that when this comes out they are going to have to go cap in hand to the district school board, which may be 50 or 100 miles away, and be told: "If you want to engage in any recreational and social activities that may be possible under this Act, you are going to have to do it through the district school board." That may be fine in Metropolitan Toronto or a small homogenous area down here in southern Ontario, but I want to suggest to the minister that if every time somebody wants to do something with regard to recreational or social activities in communities that are 120 miles away from the loca-

tion where the decisions are going to be made, this is entirely unsatisfactory.

Hon. Mr. Brunelle: Incorporation—

Mr. Stokes: As long as they are going to be allowed to do that and maybe take over existing facilities. In a good many areas in the north we have schools that have been closed down and abandoned. They're not being used. Perhaps we can give the small, non-profit organizations the authority to band together in something that is considered a legal entity within the terms and confines of this Act and allow them to make this kind of decision as to the kind of facility they feel they need and to participate in the kinds of dollars, having regard for what I said earlier.

It might cost a small community $100,000 —and that's not out of the way these days— to build a small complex where they can get together and hold a dance, have a bingo game or do whatever they may choose to do. Unless they can come up with $75,000, they're not going to be able to participate in this Act. There is no community of that size, particularly in an unorganized territory, where they can come up with that kind of money, and yet there are very few facilities that can be built today for much less than $75,000 or $100,000. That is what I'm concerned about more than anything else, and when we start discussing this clause I will have more to say on it.

There is just one other thing: When the minister referred to non-profit organizations, is that going to be restricted wholly and solely to communities without municipal organization? I can think of many Legion branches where the people have a public conscience, they are genuinely concerned about the welfare and improvement of their community, and they're continually raising money, as are the Kinsmen clubs in my riding, where they work unceasingly in trying to improve facilities. Are they considered non-profit or charitable organizations if they sort of spearhead a fund-raising drive?

There is one Legion in my riding which has said: "We will be happy to build a facility that will meet the needs of the entire community if we had some way of getting some kind of financial assistance." Of course, the only way they can do it now is if they build the facility, turn it over to the municipality and then let the municipality try to get some kind of funds within the purview of this Act. If the minister had that in mind when he did it, I'd like to hear from him. There may be some technical problems of which I'm not aware, but I'd like the minister to answer that question as to whether or not he envisages Legion branches and Kinsmen branches as being eligible. They're not in the business of making money; they're in the business of serving the community and their members. Those are the few remarks I wanted to make in that regard.

There is a section in the Act which says the boards of management will have the right to let concessions for refreshments in these facilities that will be built. I suppose that in all communities throughout the province these concessions can be lucrative, depending on the number of people that are going to be going through them at any given time. I am just wondering if the minister is going to demand that these concessions be put out to tender, or is he just going to say, "No, the board of management will have the unilateral right to decide to whom it is going" and, according to the terms of the legislation, it could be for a period of 10 years.

Unless the minister gets into a bind where it would appear that the board of management, through his legislation is playing favour with one particular person over any other—

Mrs. Campbell: Heaven forbid.

Mr. Stokes: —I hope that he would change that legislation to say that it should be by tender and that everybody would have an equal opportunity. That's all I have to say at this time, Mr. Speaker.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, since it's almost 6 o'clock, can I adjourn the debate now so we could carry on later? I prefer to have my comments following one after the other, rather than have them interrupted, if you don't mind.

Mr. Speaker: All right. We won't adjourn the debate. We can just call it 6 o'clock.

It being 6 o'clock, p.m., the House took recess.

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No. 131



Legislature of Ontario Debates

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Thursday, November 21, 1974

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. V. M. Singer (Downsview): Mr. Speaker, on a point of order, could I draw to your attention that I don't believe there is a quorum?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): That is not the member's usual role.

Mr. Singer: I know it isn't, but I just thought—

Mr. Speaker: Now we have a quorum. Orders of the day.

Mr. R. F. Nixon (Leader of the Opposition): Let's have a question period.

Mr. Speaker: We are on second reading of Bill 137. The member for Windsor-Walkerville has the floor.

COMMUNITY RECREATION CENTRES ACT

(concluded)

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. At the outset, I would like to thank you for calling it 6 o'clock at the time you did. It does give me the opportunity to keep my comments all together.

I first want to commend the minister for the introduction of this bill, but at the same time bring certain points to his attention so he realizes that in spite of introducing something that may be good he is going directly against recommendations that have been made by other committees of the Legislature, one being the select committee on youth and the second the select committee on the utilization of educational facilities.

Mr. Speaker, I agree with the principle of the bill, which is to set up more facilities to enable our youth, the disadvantaged, the disabled and senior citizens of our community to have a greater use of facilities. However, in the provision of the facilities, the minister goes contrary in the use of the name—the Community Recreation Centres Act—to one of the recommendations of the select committee on the use of schools. That committee has found in their studies that there should really be no distinction between recreation and education. It is a different type of education. The minister is sort of isolating education now; he is putting it up on a pedestal.

Hon. R. Brunelle (Minister of Community and Social Services): No.

Mr. B. Newman: Yes, he is. He calls it the Community Recreation Centres Act. He is doing it by the name in itself. A "Community Centres Act" would be all right, as then it takes care of everything, but if he wants recreation, why doesn't he put in "Education and Recreational Centres"? In his centres it is not going to be solely recreation, as is understood in the eyes of the general community. When we talk about recreation, one in which a person expends a lot of energy and as a result gets the pleasure out of partaking in a thing, we don't too often look upon it as being one of the crafts or one of the arts or being involved in drama or simply sitting at a table and engaging in conversation and communication with a friend or a neighbour.

For example, recommendation 13 of the report on the use of schools makes mention that there is a need to break down the separation of activities into distinctly recreational or educational. It recommends that arts, sports and other recreational activities should be totally integrated into the schooling process, it would be easier to integrate them right into a school.

I understand that one can't come along and simply use schools as recreational centres, because quite often the school is used for other purposes at given hours and the community would not have access to it. But by separating the school from the community, so to speak, or from the recreational centre, one is separating the two. Education and recreation are really the same thing. It is just a different definition and a different interpretion of what one wishes to place on recreation.

I would have preferred the bill to stay just as it was before, as the Community Centres Act. I know that by putting in the word

"recreation," it has a little more appeal to some segments of our community. They immediately look upon it, Mr. Speaker, that you can get a little physical exercise or you can get some of your 5BX or 10BX or you can jog or you can partake in quilting, in drama, in arts or in crafts—you name it. So, once again, this is isolating schools from community centres. The community centres in most instances really should be the school rather than a separate facility. As I said earlier, that isn't always good enough because there are certain newly developed areas in a community where there is no school, but there is a fairly substantial community. One wants people to be able to get together, to build up community spirit, and as a result, one has to construct that facility. Wouldn't it have been better to add that facility, wherever possible, to a school so it could get, so to speak, a 24-hour a day use?

Hon. Mr. Brunelle: We can do this through joint agreement.

Mr. B. Newman: The ministry can do that but it isn't generally done. It is very seldom done that way. I can look upon my own community. We established a beautiful community centre, a real credit to the community. But it is isolated in one area of the community. Were it attached to a school—and it's not always practical as I said, because one can't necessarily get the property—it would have been far more usable. A greater portion of the community could have used the thing. I'm using my own community for example. That may not necessarily be true in all communities.

As I mentioned to you, Mr. Speaker, recommendation 13 on the use of schools certainly does make one point there. When we get into the bill itself, I hope that section 2 of the bill does permit the development of nature schools and other specialized types of facilities, so that the people in education in the community can develop additional educational, information or simply community centres well beyond their own community.

Sections 2 and 5 have it that the council of the municipality may prescribe fees. Talking of fees, the committee set up to study the use of schools had that proposition always presented to them, that the charge for the use of facilities was generally too great to enable those who needed the facilities the most to take advantage of their use. The fees were generally too high. There were all kinds of insurance clauses they had to have included in a contract. As a result, those who needed the facilities most were sort of turned away from the use of the facilities. We found that in practically every major city we visited. They over-price or out-price the use of the facility, so that they were beyond the financial ability of many to use.

I can recall one instance where a group wanted to practise various musical instruments. I think it may have been an orchestra. They couldn't afford to go into a school. They had to go into a public hall or a private facility, simply because they were out-priced as far as the use of the facility was concerned. I hope that setting fees does not deter those needing and wanting the use of the facilities from using them.

For example, report No. 2 of select committee on the utilization of educational facilities makes a recommendation that I think the minister should possibly study very carefully and if possible implement.

This is recommendation No. 3 on page 3 of the report: "School boards should discontinue the practice of charging rental or user fees for non-profit programmes or activities taking place in school facilities." Now we are simply transferring that proposition to community recreational facilities if it is at all possible. I know it's the responsibility of the municipality and not the ministry to designate fees, but we do hope that municipalities pay attention to this type of recommendation and charge, if they must charge, a really minimal fee.

Charging the fee makes it a real handicap for the one-parent family, the disadvantaged, the handicapped, those on family benefits, and the senior citizens in many instances. I don't say it deprives them, but it doesn't encourage them to use facilities to the extent they probably could, should or would like to use them. If it is a non-profit programme that someone wishes to get into the community centre, there should be no fee, if at all possible; and if a fee must be charged, a very minimal amount.

Mr. Speaker, the location of a community centre today has to be generally away from the built-up areas. I hope that communities try to take advantage of surplus schools for community and recreational centres, rather than building new facilities. I know all of them can't be used. I know many of them, especially if they are elementary schools, don't have lunchrooms, don't have auditoriums—the large spaces that you would require to conduct certain types of activities.

We visited community colleges throughout the province, and we found in many of them that the auditoriums that were built for

hundreds of thousands of dollars were used only once or twice a week, rather than being used almost around the clock and maybe even being used as community centres by the people living in the neighbourhood.

I hope the suggestion I make to the minister is followed up before community centres are actually built or developed in some areas. I know they are willing to co-operate. But I think he should make it known to them that he would appreciate their co-operation and that maybe they should be part of a spark-plug so that their facilities become community facilities, so that the community college facilities really become community recreational centres at the same time.

We don't mean to interfere with programmes that may be carried on in those centres. But in many of the community colleges, there must be times when they are not using the facilities and they should be used by the community.

One of the things that does disturb me a bit is that community centres generally have to be built out of the community, rather than in the core of the city, although it's in the core that there are social problems and where this type of gathering together of people in a common bond is needed to develop more of a sociable atmosphere so people are able to communicate with one another to lessen and diminish a lot of the social problems. These centres generally are built out in areas that are a little more affluent, generally because the area is there around which to build. I know the area eventually may be built up and the centre might be sort of in the heart of a little community, but I hope we don't forget the cores of cities so that those people living there are given exactly the same opportunities as would be given to the suburban areas of our many municipalities.

As I mentioned earlier, Mr. Speaker, I certainly would like community centres attached to or adjacent to schools, if at all possible, so that they can be used by both groups. And if they can't be located there, they should be placed in park areas. I hesitate to say that, because putting another building in a park deprives the people of that amount of open space in which to enjoy outdoor recreation. But I think that when they are put in a park area, they do serve a dual purpose.

Mr. Speaker, under section 5 of the Act, mention is made of the composition of the committees. These committees should be decided by the communities themselves. If they want a community recreational centre, no one should impose upon a community who should form the committee for that centre. I can understand that perhaps there should be input from this ministry, as well as the Ministry of Education, the recreation department or city council, but we have to remember always that if these are going to be truly community recreational centres, the community must be involved. The community must be on the committee and the programmes must be decided by the community in co-operation with other levels of government or other governmental bodies. However, we should not forget that it's the community that wants certain programmes and we should see that their wishes predominate, providing they are within certain limits. We just can't come along and say that they should do almost anything imaginable.

Now that I have made these few comments, I know the chairman of the committee on the utilization of educational facilities will partake in this debate and give us his pearls of wisdom, and we'll have another member of the Legislature who will attempt to impress upon the minister the need for community involvement throughout in community centres.

Under section 5(7) of the bill, Mr. Speaker, there is the right to sell refreshments. I hope that whoever operates the concessions in these community centres does a heck of a lot better than they do in some of the centres on Highway 401. Mr. Speaker, you travel on Highway 401, and so do I. I try to come all the way from Windsor to Toronto, without stopping, simply because when you stop at some of the centres, occasionally you wonder whether you are going to be able to make it to Toronto, so you are better off to just keep on going and go hungry.

I'm not saying these dining spots on Highway 401 are not up to par at all times, but too often I have found they were not of a standard that I would have hoped to see, nor is the price range such that the family with four or five little tots which may go into the community centre could afford to pay. We won't want things to be overpriced so that the poor or the single-parent family with three or four children can't even afford to buy youngsters a glass of milk or a hot dog or any of the other refreshments that are being sold in that community centre.

Mr. Speaker, on section 6 of the bill, which makes grants to municipalities, we are pleased to see that the minister has increased the amount of the total cost, which-

ever is the lesser; to $75,000 or 25 per cent or such greater amount as the regulations prescribe. Mr. Speaker, that wouldn't be good enough if that were an educational facility, and really a community recreational centre is an educational facility; although a different style of education as I made mention earlier. The grants from this ministry should at least be as great as the grants to an educational facility.

Also, the community centre does alleviate a lot of the social problems, or it can alleviate some of the social problems in a community. The grant to a community for welfare is 80 per cent of the cost. The government should likewise be providing 80 per cent of the cost here. After all, the centre is alleviating the ministry of a lot of expenses that may be involved as a result of youngsters in the community not being able to get the use of some of the facilities in the community.

Now with the community centre I know there are going to be such things as legal aid. There will be legal aid clinics there; and likewise members of the community and social services organizations in the community will be coming down to meet with parents and advise them of benefits to which they may be entitled.

They do it now, Mr. Speaker. The downtown community action centre in the city of Windsor, which is developed around a housing project, which is sort of a similar thing to what is being done here, does everything one can think of in an attempt to minimize the social problems of those living in the housing project.

This is a worthwhile project, and I would think that community recreational centres are going to have programmes such as this during hours when there may not necessarily be as much activity in the centre. I can see them starting at 9 o'clock in the morning and working right through until the wee hours or the late hours of the evening. I can see them being involved in assisting the residents in the area in the filling out of income tax forms, in the filling out of other types of documents or other types of papers, and in being a general overall asset to the community around. The community centre will develop a real community spirit.

If members could get to the city of Windsor and see what has happened around the Holy Rosary Educational and Community Centre, they would see what can happen in other community centres if we allow the community to run the centres. If the minister is going to impose things on them, the same thing happens as with he and I, we don't like others telling us what we must do. We want them to decide what they want in that community, after which they need assistance from the balance of the community so they can implement what they are interested in providing to that community through the centre.

If they are to put in a swimming pool as an adjunct to a community centre, or to have it as a community centre, they are not going to do it for under $300,000; so if the minister is going to give only $75,000 to a thing like that it isn't going to be sufficient. The community has too much of an additional tab to pick up.

I think that $75,000, even though we appreciate that amount, could have been put up a little higher so that the less affluent areas in the province have the same advantage as the more affluent. We shouldn't be discriminating against northern Ontario as opposed to southern Ontario; the big community as opposed to a small community. We should treat them all alike; and we can treat them all alike by providing this additional type of assistance to them.

As I mentioned earlier, Mr. Speaker, if the province pays 80 per cent for community and social services work when it comes to welfare and other types of benefits, it can do exactly the same thing with this. After all, 80 per cent of this only costs us 30 per cent; the community pays 20, we pay 30, the federal government pays 50.

The next item that I wanted to talk on is item 7. When the plans are finally drawn up they are going to be presented to the minister for approval. There should be input from the community as to what it wants and the type of community centre it wants. Not only should there be input from them as to the physical nature of it, not only should there be input as to the programme there, but there should be complete input from the community.

To come along and have architects or those in public administration think that they are the only ones who can design a building and then impose this upon the community, I think is wrong. In today's society we have to involve the community right from the word "go" up until the time the community centre is completed. I would like to see the community involved in every stage of it, even in the approval.

Mind you, the architects, the designers, and so forth, may be able to point out to the

community that certain recommendations or suggestions that it is making are not feasible, and I think when we do involve the community right then and there they will accept that. They are not going to try to impose in the construction of the centre something that is just pie in the sky and can't be physically completed.

Report No. 1 on the community use of schools makes certain recommendations that I think the minister should take into consideration when plans are being submitted. I would read recommendation 23:

> The Minister of Community and Social Services should update and revise the Community Centres Act so as to encourage and support innovative design and integrated planning in the provision and operation of all community facilities.

This is what I have been talking about, but get community involvement in the development of the facility. Also, there are two other items there that the minister should keep in mind, and they are that in the construction of the facilities they should, wherever possible, be on a ground level, and the doors and the entrances to the community facility should be such that we do not deprive or handicap those who are now physically handicapped from getting into the facility.

Recommendation 24 is: "The government of Ontario should ensure access for the physically handicapped to all community facilities through the adoption of the National Building Code supplement No. 5." A very worthwhile suggestion. Why handicap those who are handicapped now? Why not make it as easy as possible for them?

In fact, Mr. Speaker, to the minister, it would be nice to use these community centres places as polling subdivisions, and then the handicapped could go right in without having to climb upstairs to an individual's living room or downstairs into a basement. We wouldn't have to worry about having mobile polling booths where the polling booth would go throughout the community. The individuals could come into a facility like this, and the doors would be wide enough so that those who are in wheelchairs would have no difficulty getting in.

In developing doors of this type I think we are going to have a special problem. Quite often, as has been mentioned to us, the individual who is handicapped can get in the washroom doors, but can't get out because of the way the doors swing, or else he can't get in. So there are a lot of things like this that the architects and the planners are going to have to take into consideration.

Recommendation 25 is such, Mr. Speaker, that the government of Ontario should provide special funds to school boards and municipalities for the adaptation of all existing community facilities to make them accessible to the physically handicapped. I think the minister should make funds available to present community recreational facilities now so they could be structurally changed so that the physically handicapped could make full use of the—that is those that are now community centres and those which our physically handicapped have difficulty in using.

Mr. Speaker, to complete my remarks I would like to bring to the attention of the minister the fact that we will have the centre. The government has paid 25 per cent of the cost of construction but none of the operational costs; these latter are going to be a complete burden on the community. I would drive a Cadillac if I could afford one—

Mr. I. Deans (Wentworth): What does he mean, if he could afford one?

Mr. B. Newman: No, I wouldn't; I would drive a Chrysler, because it's a good Windsor-made car—if I could afford one.

Mrs. M. Campbell (St. George): Yes, watch that.

Hon. A. Grossman (Provincial Secretary for Resources Development): Not while the member is in politics.

Mr. B. Newman: Well I drive a nice Windsor-made product, Mr. Speaker.

Hon. Mr. Grossman: As long as it is not called a Cadillac.

Mr. B. Newman: Mr. Speaker, the provincial secretary is being provocative there.

I hope the minister will consider operational grants. This eliminates or reduces many of the social problems in the community. They should be treated the same way as the individual that may be on family service benefits or on welfare who has to get assistance from the community. Pick up 80 per cent of the tab; let the municipality only pay 20 per cent.

Thank you, Mr. Speaker.

Mr. Speaker: I recognize the member for Durham for just a brief moment.

Mr. A. Carruthers (Durham): Mr. Speaker, this time I would like to draw the attention of the members of the House to a large group in the east gallery representing the Pro-

gressive Conservative Party of the town of Port Hope in the riding of Durham. I would ask the members to give them their usual cordial reception.

Mr. R. F. Nixon: They are here to be sure they get that garbage train going.

Mr. R. Haggerty (Welland South): That train with all the garbage.

Hon. Mr. Grossman: The garbage they send to the opposition.

Mr. Deans: A few years ago they were fighting. What happened?

Mr. E. W. Martel (Sudbury East): Well austerity has set in—inflation.

Mr. Speaker, I just want to make a few comments with respect to the bill. Like my colleague the member for Thunder Bay (Mr. Stokes), while we appreciate the fact that the bill increases the amount from $25,000 to $75,000 for community centres, what in fact the government has done by not including some type of scale is to just force smaller municipalities with inadequate tax bases to try and raise more money in order to get the full benefits of the bill. That really isn't going to help anyone.

It seems to me the ministry might have used a little imagination and taken some cutoff points. For example, as my colleague pointed out, a municipality of 2,000 might be entitled to a bigger slice of the pie than one of 3,000 so that in fact those municipalities could really derive the maximum benefit.

What in fact the ministry has done is allowed the wealthy municipalities to get a greater cut, because they in fact are already moving ahead and building community centres which are valued at $300,000 plus. It is based on the amount of money you spend.

We know that these smaller municipalities, and I am sure there are many in the south and in the eastern part of the province, don't have large tax bases to work from and are relatively limited in population. The only way they can make maximum use of the new legislation is if they debenture that much higher, borrow that much higher, or are successful in canvassing for that much money. Otherwise they can't make maximum use of grants under the bill.

It was always my understanding, as we debated this in the estimates and so on, that we were going to find a way of assisting these smaller communities to have the facilities so they could enjoy the same amenities as the larger communities. But this isn't going to do it; it is just going to put them further in the hole.

Hopefully under section 12 (b)—which states, the Lieutenant Governor in Council may make regulations "prescribing classes of grants and the manner of computing the amounts of such grants"—hopefully when the regulations emerge under that section the minister could consider providing extra funding for smaller municipalities based on something other than their spending $300,000. Otherwise, I just don't think we are doing what we want to do.

I know what the intent is. I have discussed this with the minister on many occasions. I know what the intent is, but the way the legislation reads that is simply not going to work out. I would hope that the minister, before the regulations come out or before we finalize this bill, would be in a position to indicate specifically what he is going to do.

There are several other things in the bill that bother me. One is a point of clarification. I can't understand why the minister intends to have this Act come into force on a day to be named by proclamation of the Lieutenant Governor. Why isn't it the usual type of bill where when it gets royal assent it then comes into force?

At the present time there are quite a number of community centres under way. I know in my own riding there are three presently under way. They are going to miss the boat unless the bill comes into force on the day it receives royal assent.

The minister could bring this in six months from now which could be too late for those municipalities in the process of building now and which will be coming to the ministry, once it has forms available. The ministry doesn't have forms for application for such grants as yet. In fact, it doesn't even have forms available for the old grants.

Somebody under the gallery shakes his head, but several municipalities in the past week have contacted me saying they can't get forms for the old grants even. I will name them before I am through, but I think that is an error. I would hope as well that the minister would change that section 14 and let's have it come into force the day it receives roval assent rather than some designated day off in the future.

If I were political by nature I would say I suspect the minister of setting it up for the eve of the next election, but not being that way I wouldn't make the suggestion.

I also want a clarification of the bill with respect to municipalities which presently are

building arenas. I have, as I say, three being built in my own riding and there are several complications. In his notes today, which he read earlier, the minister indicated they had to get prior approval. These are under way at the present time. Will they qualify?

Interjection by an hon. member.

Mr. Martel: My goodness, the minister is optimistic. Will they qualify? Hopefully they will.

Secondly, will they qualify in view of the fact they are using winter works projects? In other words, the labour costs are now being met by the federal government in my municipality, almost $200,000 worth of work. They haven't got prior approval, based on what the minister read today of their plans. So will they be eligible for the provincial grant of $75,000; partially because they are getting some assistance from the federal government; and, secondly because they haven't had prior approval from this ministry?

I think that some of the problems in the bill are the mechanisms which are laid out. The people who have spent a good deal of time planning and working these through so that they come through in winter are, in fact, going to lose the benefits from the provincial programme which is presently before us: (a) if the minister doesn't change section 14; (b) if he doesn't accept the approvals they've already received, in the sense that their building has been approved for federal grants which were worked through the province anyway; and (c) if he's not going to provide funding because they've received a winter works grant for labour purposes. I think these points have to be clarified before the bill goes through.

Finally, I'd like to ask what happens—this is presently occurring and I've written the minister a number of letters about it—where unorganized municipalities, in fact in conjunction with an organized municipality, want to work together for the establishment of a community centre. What type of funding is allowed should they want to build it in an unorganized community, or vice versa? How does the funding work its way back to the organized municipality? More important, how does it work its way to the unorganized municipality?

Let's say there are four or five of them together which want to build. It's fine if it's by a school board, but let's say it's three or four unorganized municipalities building in conjunction with an organized municipality. How is that going to work, or is it possible to do that so they can enjoy the community centre?

As the minister knows, coming from northern Ontario, we have a host of unorganized municipalities and I can think of a number of places where this problem is going to arise. How do we do the funding? It's not spelled out. I don't think it was spelled out carefully in the minister's earlier comments either. I don't say that to be unfair, but I would hope the minister could indicate this to us, since he's ruled out that school boards can only go into unorganized municipalities and that in organized municipalities it's the municipality itself. What's the formula? How do we work them together when he has ruled the school board out of the organized municipality, and it's an organized municipality along with an unorganized one that's trying to get together to create a community centre? The two things just don't jibe.

Maybe the minister can set me straight on how it's going to happen. I've read the bill a number of times and I just don't see how it can be done, since he has ruled out the school boards in the organized community. Is it possible for them to work from their position in an unorganized municipality in conjunction with the council to bring the community centre into being?

The other thing I would ask about—and it was also mentioned by my colleague this afternoon—is we're having a bit of a fiasco now in one of the communities in my riding. There was no tendering on who would handle concessions in the community centres. In this instance, of course, the mayor's family is handling the concession. It didn't go to tender and needless to say, it's causing a lot of resentment. I don't think it's all that serious but it's just the principle that it should have to go to tender.

In fact, should municipalities be allowed to build arenas without the building going to tender? We have that happening in Valley East at the present time. The arena is now built, but it was never tendered for when the arrangements were made. I understand the ratepayers' association has written the OMB and the Attorney General (Mr. Welch) to have it investigated.

How in the world does that happen, that one can purchase the shell of a building in an organized municipality without it ever going to tender? Surely there's something wrong with that. I won't spell out the other details involved, because that's not my intention here tonight. I want to talk about

arenas. But somewhere there must be some way of preventing that sort of thing from occurring. I don't know if this is the proper legislation, or if it is something under one of the municipal Acts. But this was done within the last—well, the minister's colleague, the Minister of the Environment (Mr. W. Newman), was in my riding in August to open it. None of us was aware at the time that it hadn't gone to tender.

Mrs. Campbell: Good Tory policy.

Mr. Martel: That was great. I happen to have missed the opening, by chance. But I think that has to be looked into, too: that can't occur in future. With those few remarks I'll await the minister's response.

Mr. Speaker: The hon. member for St. George.

Mrs. Campbell: Mr. Speaker, I have a few observations to make.

One of the things which disturbs me about this Act is simply this: At a time of inflation, at a time when we are all trying to find ways and means for proceeding in the most economic fashion possible, we find in this particular bill the exclusion of the kind of thing that the city of Toronto and the board of education worked out so successfully over the years.

I know that the minister is going to tell me that they can still continue this type of negotiation under the Schools Administration Act. When is this government going to understand that by the time municipalities and boards of education cull through all the mass of legislation to find out how best to proceed, they usually wind up—certainly in the city, to date—quite discouraged about looking to any of the legislation; quite often, of course, by reason of the previous level of grants? The city really didn't take too much advantage of the provisions, I think the minister will agree, because they were rather meaningless in those days.

Surely, it is to the advantage of the taxpayers of this province that we can establish locally, with the local government and the school board, the kind of facility which will have maximum use; the kind of facility that will not require demolition of housing for two particular uses, when all of it could be accomplished in the one area.

I cannot understand why, when the minister brings this forward, there isn't a real thrust in that direction, and why we have to look to some other legislation if we wish to make the best and most economic use of the tax dollars.

The minister in his statement said: "The proposed change will facilitate continued community planning at the local level, while enabling controlled planning and avoiding any duplication." I suggest to the minister, with the greatest respect, that I think this invites the kind of duplication that we don't want to see. It may well be that, by looking back at the Schools Administration Act and trying to balance the advantages, which is what local government has to do, it may be preferable for the school to go ahead on its own, for example.

As far as the city of Toronto is concerned, it took us many, many years to get to the point where we were really having good, solid agreements—where the planning of the facility was all integrated for the best use of the total community, or the total area; rather than having two separate groups trying to find alternatives.

I would like to say a word about the matter of fees. I happen to have served on the special parks committee reviewing fees for recreational facilities in the city of Toronto. We found, surprisingly enough, that actually it was costing the city money to charge the fees that we were charging, particularly for ice rinks, hockey rinks and swimming pools. By the time we put on staff to collect and to supervise the whole operation, we were losing money. Actually we were much better off when we removed the fees.

I suppose I shouldn't actually think only in terms of Toronto; it may well be that in smaller areas, smaller places, they would like to have the right to charge a fee. I would like the minister to direct his answer to that particular situation. I can only speak for our experience in the city of Toronto.

It seems to me that when we start getting into this matter of concessions, you really can get into an awful lot of problems. I suppose that we cannot really have a proper community centre without that revision.

I wonder, again, whether it might not be advisable to trust the local people more than we do in this particular bill. They have the right to prescribe the fees and the right to sell refreshments in the centre. They may fix, I take it, both the prices and the contract for refreshments on a year-to-year basis, or on a period not to exceed 10 years.

I would think that the minister could trust the local people a little more than that; to try to let them work out their own negotiations and their own deals in the area of refreshments. In my experience, they supervise those contracts very closely. Sometimes

they need a little longer period than the year-to-year type of arrangement in order to get a good deal for their taxpayers, but they usually have some form of escape clause. I really don't understand why we can't trust them a little more than we do.

Of course, Mr. Speaker, I join with others in commending the minister in that he has increased the participation of the provincial government and has brought the grant within some more meaningful kind of position in light of present costs.

But it does seem to me that perhaps, again, the minister might look at this sort of operation as one which could be combined with the information centre, for instance, that we need so badly in so many areas and aren't able to get—and that is also within his ministry and that is also fundable. Surely, if we could stop segregating all of these things into neat little packages and have a broader overview of the kind of facility that could be most useful—having regard to the local needs and wants—we could provide much better service at much less costs.

Once we get into a rigid kind of situation, such as this is, then it seems to me, Mr. Speaker, that we really find ourselves wasting tax dollars rather than securing them and ensuring that they are used for the total purpose for which they are intended. I would hope the minister would give us the benefit of his thinking on those aspects of this bill as I see it.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Thank you, Mr. Speaker. I hadn't intended to speak on the bill, but one aspect of it made me—

Mr. A. J. Roy (Ottawa East): The member doesn't have to.

Mr. Deans: No, I suppose I don't. You don't really ever have to do anything around here—as I notice from certain people who don't do very much.

Mr. R. F. Nixon: You have to listen.

Mr. Roy: Where is the member looking?

Mrs. Campbell: I beg the member's pardon.

Mr. Deans: As I say, I have noticed certain people don't do very much.

Mrs. Campbell: Well, just don't let the member direct his gaze over here.

Mr. Deans: No, no, I wasn't. To tell you the truth, Mr. Speaker, my gaze didn't even extend that far.

Mr. R. F. Nixon: I will vouch for that, Mr. Speaker.

Mr. Deans: I was looking down; I was talking to the member for Ottawa East—or Ottawa West, or Ottawa something.

Mr. Roy: He was? I will get my House leader to talk to him.

Mr. Deans: Okay.

Mr. Speaker: Order please. Would the member for Wentworth speak on the principle of the bill?

Mr. Deans: I was only talking to him, not about him, because he was the one who interjected.

I was kind of curious about something I don't quite understand. Well, let me go back. I happen to think that education and recreation are very much intertwined, and I think that as major centres develop educationally, they will likely develop recreational facilities alongside the educational facilities. I think that that has become the pattern.

I think that municipalities have very much wanted to attach whatever recreational facilities they have been prepared to spend money on to the existing educational facilities or to new educational facilities. I know in one instance in particular, as a result of some negotiation which is currently taking place between the public and separate school boards in Hamilton, there is the likelihood that they could come to an agreement to develop a community school and that community school would have health and recreational facilities attached to it.

The question I have for the minister is, would the municipality be eligible for the grant for the portions of the building which were in fact really a municipal responsibility and built primarily for recreational purposes? What we see happening is the development of a school which will be open year-round. The classrooms will be used in the daytime for educational purposes; there will be attachments to that for health purposes; and there will be, in addition to that, library and normal recreational facilities for the community at large, the community being a smaller portion of the municipality.

Obviously the municipality could build a separate building, and it could apply for, and likely obtain, the grant. But under the

present restriction that the minister has outlined on page 3 of his statement, it would appear that if this were to be a primarily educational facility, even although there was an agreement between the municipality and the local board or boards, they wouldn't qualify for assistance under this Act. And if they don't qualify for assistance under this Act, they don't qualify for assistance, as I see it.

I think if we are going to have the development of recreational facilities—let me give you an example of something. In the late township of Saltfleet, now the town of Stoney Creek, they built a swimming pool on to the existing school. They could well have developed the gymnasium so that both were compatible for recreational purposes for the entire community. If they had done that the total complex would really have been a community recreational facility, but for the purposes of vesting it, it would still have been an educational facility because it was on educational property. Under this Act my view of it, according to what the minister has said, would be that they wouldn't qualify for anything under the Act.

I would really like to know more about that. I view the whole educational process; we build schools all over the place, and they tend to sit empty from 5 o'clock at night until 9 o'clock in the morning—at least most of the public schools do.

If we were to encourage, by way of grant and by way of directive from the province, that the use to which these could be put could be well a community use in the times when they are not required for educational purposes—that being much of the summer and a fair portion of the winter—they would be able to develop facilities throughout many communities that would better meet the needs for recreational purposes.

I suppose I'm really asking why the government has decided that boards of education, for the purposes of this programme, will not be eligible, other than in unorganized territories. I think we are going backwards. I think we should be emphasizing that existing buildings and existing facilities should be upgraded, redeveloped—whatever we like to call it—to meet existing needs.

The cost is minuscule compared to the cost of developing brand new facilities, and we already have much of the hardware available to us. Certainly, a lot of the power plant is there, a lot of the land is already purchased, and much of the building, in itself, is already sufficient to meet the needs—perhaps needing only some minor or, maybe, in some instances, major changes in renovation.

I am curious to hear from the minister whether or not it would be possible for a joint venture between the municipality and local boards which would make partial use of existing facilities, would develop new facilities in conjunction, and would permit the municipality to take advantage of that which was, without expending the great sums of money it may need to build something new which may be unnecessary much of the year.

Mr. Speaker: The hon. member for Durham.

Mr. Carruthers: Mr. Speaker—

Mr. Deans: The member has already introduced them.

Mr. Carruthers: I did introduce them.

Mr. Deans: He has already done that.

Mr. Carruthers: Listen, I don't speak very often.

Mr. Deans: He certainly doesn't.

Mr. Carruthers: Very briefly, Mr. Speaker, I wish to commend the minister for what I consider to be a very progressive piece of legislation. I think the fact that the opposition has voiced very little opposition to the legislation is a real indication that the legislation is very positive and very progressive.

Mr. Deans: It's funny, the member doesn't always say that. When we voice opposition, the member doesn't conclude that it is because the legislation is no good.

Mr. Carruthers: I was just saying that the opposition was very weak. I expected there would be a considerable degree of opposition to this bill. The only opposition has been from the school administration point of view and from the point of view of the member for Windsor-Walkerville that, of course, it's too little—it should be $80,000 instead of the $75,000 increase. I say to the members that this will be greatly appreciated; and in no area will it be more greatly appreciated than in the town of Port Hope.

Mr. R. F. Nixon: Why is it the member is the only Tory in all those empty seats? What brings him in here tonight?

Mr. M. Cassidy (Ottawa Centre): Are those his constituents?

Mr. Carruthers: The member wasn't here when I introduced them.

Mr. Cassidy: The first time he has spoken in three years.

Mr. Speaker: Order, please. The hon. member for Durham may proceed.

Mr. R. F. Nixon: He is just a lone island in a big blue sea.

Interjections by hon. members.

Mr. Carruthers: There is a major project being considered in the town of Port Hope which will involve the Community Centres Act. I assure the House, the fact that this amount has now been increased from $25,000 to $75,000 will be very well received. I commend the minister very highly.

I believe it was a major step, and a very progressive step, when the Act was included in the minister's portfolio, when it became part of his administration. The members will note that the number of projects has more than tripled since his ministry took over.

Mr. E. P. Morningstar (Welland): Good government.

Mr. Carruthers: Good government is right, good government.

Mr. M. Shulman (High Park): That is called Parkinson's law.

Mr. Roy: And the member has two people who agreed with him.

Mr. Carruthers: Yes, indeed.

Mr. Roy: Just rip into that.

Mr. Carruthers: I was interested in the remarks made with respect to the planning. Many of the remarks, I believe, certainly would be taken for granted by the ministry. These will be carried out at the local level; the planning, to a great extent, always has been and always will be at the local level.

Mr. B. Newman: Sure didn't agree with the select committee.

Mr. Carruthers: The local people have a major voice in developing these projects.

Mr. Roy: Does the minister agree with the member?

Mr. Carruthers: We've got a very responsible minister.

Mr. Shulman: We have just begun.

Mr. Carruthers: Having made those few remarks, Mr. Speaker, I just want to repeat that the fact there was very little opposition from the members on the opposite side is an indication that this is good legislation and it will be well received throughout the province.

Mr. Cassidy: That was a fine final speech.

Mr. R. F. Nixon: I shouldn't object to that kind of a handout.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I will be very brief. I just want to have a couple of items verified by the minister when he is replying. Regarding the agreements involving more than one municipality in building an arena, an agriculture hall or a recreation centre, I wonder if the grants will still be available for more than one municipality. I would also like to know if the amounts of those grants depend on the total cost. That's about all I have to say, Mr. Speaker.

Mr. Speaker: Does any other member wish to speak?

The hon. member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I just want one matter clarified. I notice that section 14 says the bill will come into effect on the proclamation of the Lieutenant Governor. Does the minister have any idea as to when that date will be?

Mr. Speaker: Does any other member wish to speak before the hon. minister replies?

The hon. member for Peel South.

Mr. R. D. Kennedy (Peel South): I just want to ask a question that I believe was raised in a similar context by the member for Sudbury East; it has to do with the retroactivity of this bill. I believe many municipalities have projects under way now, Mr. Speaker, I would like to know if they are eligible subsequent to a contract award or when the eligibility would be determined in terms of time.

The other thing is that when this goes into effect, presumably it then will fit in with the fiscal planning of the municipalities, whose fiscal year-end is Dec. 31. Presumably once the formative period is over, this will all fall into place. But right now there are questions about situations where a base contract has been let for a project. One we have is Glen Forest. It is completed and in use. It was opened two or three weeks ago. I'm not sure if there are ancillary things, such as certain grading and paving around it, that might be

done subsequently or whether it's a complete package. In addition, a swimming pool is to be added at some later time, and I understand that this additional facility would be eligible for a grant.

With respect to retroactivity or startup time, I ask whether there is some discretion so that upon application, such a request could be examined with a possibility of additional funds being provided.

The other thing is that there are different kinds of recreational facilities, as we have heard tonight. We have them at each end of the scale. We have skating rinks for the young people—and they are greatly needed. But, at the other end, a recreation centre has been opened for senior citizens in my area; and they, of course, have entirely different activities. There haven't been any grants in the past, as I understand it, even under the existing legislation, although I understand the government pays part of the operating costs. Presumably if a senior citizens' recreation centre was to be established, it would be just as eligible as a hockey rink. But again, do they get a contribution toward operating costs, but not community centres, rinks, all the meeting halls and so on? I would like some clarification of that, Mr. Speaker, if I could.

Mr. Speaker: The hon. member for High Park.

Mr. Shulman: I have just one question, Mr. Speaker, about the draft regulations that have been prepared for the bill. I don't understand this regulation 11(3), which eliminates Port Hope from the provisions of the bill. Could the minister explain that to me?

Mr. Speaker: Does any other member wish to speak before the minister replies?

Mr. Carruthers: I am moving an amendment.

Mr. Kennedy: That was cleared away.

An hon. member: He's got it in for Port Hope.

Mr. Speaker: The hon. member for Algoma.

Mr. Roy: Tell us about the maple syrup.

An hon. member: Those are not the member's people here, are they?

Mr. Deans: Who is he introducing?

Mr. B. Gilbertson (Algoma): Mr. Speaker, I would like to make some comments on Bill 137, the Community Recreation Centres Act.

Mr. Deans: No, no, that's last year.

Mr. Gilbertson: We are still in 1974 and that's what it says on the bill here.

Mr. Carruthers: Go ahead, Bernt.

Mr. Gilbertson: I notice on the back of this bill here, "Explanatory Notes."

Mr. R. F. Nixon: Read those, buddy.

Mr. Deans: They have those on every bill; every bill has them.

Mr. Gilbertson: In section 2 of the bill here, this is interesting to me, because when I first became a member in the Legislature I had constituents from several small municipalities—

Mr. Roy: Good for him.

Mr. Gilbertson: —neither one of them was big enough to endeavour to get some type of recreation centre or community centre.

Mr. Deans: What—the constituents or the municipalities?

Mr. Gilbertson: But through the efforts of the member for Algoma—

Mr. Martel: And who might that be?

Mr. H. C. Parrott (Oxford): Hear, hear! Another victory.

Mr. Roy: The former member, soon to be.

Mr. Gilbertson: —we managed to get the ministry to bring in this particular legislation that would enable several municipalities to go together and build a central community centre.

Mr. R. F. Nixon: That's like the big school he built; that $5 million school he built in the middle of the field there.

Mr. Ruston: And the building of the new bridge.

Mr. Shulman: They built the bridge but there is no road leading to it.

Mr. Gilbertson: Mr. Speaker, I think the opposition is rather rude. You would think they would know enough that they would be quiet when the member for Algoma is on his feet.

Mr. Parrott: I agree.

Mr. Deans: To interrupt the maiden speech.

Mr. Gilbertson: Except they could applaud from time to time.

Mr. Parrott: That's right.

Mr. Shulman: He didn't give us free maple syrup this year.

Hon. Mr. Grossman: They are showing the people in the gallery why they are in the opposition.

Mr. Gilbertson: I might say to the members of the House—

Mr. Carruthers: The member for Ottawa Centre is really listening.

Mr. Ruston: Only empty seats on the other side.

Mr. Gilbertson: —that through the effort that was put forth at that time, the Minister of Agriculture at the time—this was under the Department of Agriculture—brought in a bill that enabled several municipalities to join together and pool their funds so that they could build a good community centre.

I thought that was very good of the minister at that time, and I felt it was an accomplishment. If the hon. members wanted to, they could go 'way back into Hansard and see when this was brought in, and the efforts that were made.

Mr. Speaker: How would the member like to speak to the principle of Bill 137?

Mr. Deans: How could he? He doesn't know what it is.

An hon. member: I don't know why he should; who else did?

Mr. R. F. Nixon: All the whips are going to speak tonight. Who is the next assistant deputy whip? He is going to speak next.

Mr. Gilbertson: Mr. Speaker, when I travel up north of Sault Ste. Marie, I meet youngsters carrying their hockey sticks and hitchhiking, trying to get into Sault Ste. Marie so they can practise hockey, because there isn't any—

Mr. R. F. Nixon: The member should do something to help with that; there are no school buses to help. A million dollars worth of school buses sitting in the barnyard.

Mr. Gilbertson: —type of recreation centre up north of Sault Ste. Marie, where there is quite a populated area. I am sure that with this new legislation now, once they get organized up there, there are several municipalities, several little hamlets that I feel will be able to pool their funds and be able to build a decent, good recreation centre somewhere up north of Sault Ste. Marie to take care of that populated area and also east of Sault Ste. Marie. I was interested when the member for Sudbury East mentioned that this particular bill wouldn't help the small municipalities. There are still provisions for this. They can still group their resources and build a central recreation centre. I am very pleased about that and I feel that I want to commend the minister on this particular piece of legislation.

Mr. A. W. Downer (Dufferin-Simcoe): Very good.

Mr. Speaker: Thank you. Any other member before the minister replies?

The hon. member for Wellington-Dufferin.

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, I just want to say that I appreciate the fact that the minister has introduced this bill.

Up in the village of Shelburne, the Canadian National Old Time Fiddlers' Contest is held every year. The present arena will accommodate only some 5,000 people and there were 10,000 people in Shelburne last year. For several years the Rotary Club that sponsors that function has come to me, and also the editor of the local paper—who incidentally is the father of Tom Claridge who is here in the press gallery—and said: "We need a lot of money to enlarge this arena or build a new one so that we can accommodate the thousands of people who come to Shelburne to take part in that Canadian National Old Time Fiddlers' Contest." It is so important that the CBC broadcasts the finals. I think tripling the amount of grants is just another evidence of the Progressive Conservative policies that this government pursues.

Mr. Shulman: Fiddling while the by-elections are burning.

Mr. Root: Incidentally, the member for Haldimand-Norfolk (Mr. Allan), the member for Welland and I are just winding up 23 years of service in this House tonight.

Mr. Roy: Good for them!

Mr. Root: We have seen many changes and this is another progressive change.

I think, as I read the bill, the neighbouring municipalities could join with municipalities like Shelburne and probably put up the type of facility that they had hoped to have, so

they can accommodate the thousands of people from all over North America, and all over Canada who take part in that great function. I know that the people of Shelburne are going to be very pleased with this legislation. I just wanted to put that on the record.

Mr. Roy: After the next election, the member will need a very small arena.

Mr. Speaker: Any other member? The hon. minister.

Hon. Mr. Brunelle: Mr. Speaker, I listened with great interest and I wish to commend the members for their very constructive comments.

Mr. Shulman: Thank you.

Hon. Mr. Brunelle: First, I may deal with the member for Waterloo North. As the hon. members know, we have no restrictions for population. It is quite true that two years ago, I believe, it was mentioned in the budget that municipalities with a population of 25,000 or over would not be eligible. Well, that was never implemented. It is quite true there were some delays but all municipalities that did apply for a grant under the Community Centres Act did receive their grants.

The hon. member also mentioned about the pre-approval system. Pre-approval is not required. We do require approval of the plans and I think there are some very good reasons for that. They don't have to be an elaborate construction plan; a sketch will do. The reason for this is for safety, and I think the hon. members will agree with this. We have heard in the past of some very tragic instances of where arenas have collapsed. I think it is desirable that we do have safeguards, especially for large buildings.

Mr. Shulman: How can a sketch safeguard you? The minister said he only wanted a sketch. A sketch isn't good enough.

Mr. Kennedy: There are sketches and sketches.

Hon. Mr. Brunelle: We don't require drawings—just elaborate enough to provide the idea. A small municipality, for instance, which is only building a small community centre worth, say, $25,000 doesn't need any elaborate plans but if it's a major building, an arena with swimming pool and so forth worth millions of dollars, then we do believe that there should be some very elaborate plans.

The hon. member for Thunder Bay raised some very good points. He himself, the hon. member for Sudbury East and myself and many other members, have many large areas and many unorganized communities and also small communities that are organized, where, it's quite true, many have difficulty in raising the 75 per cent. I would like to mention, however, that in this present bill under section 9(a) it is at the discretion of the minister to give increases to Indian bands, for example, and also under 9(b) to school boards and non-profit organizations in unorganized areas. So as far as the unorganized areas and the Indian bands are concerned, there is provision in the Act at the discretion of the minister to provide increased funding where there is dire need.

However, there are many organized municipalities which have small populations and which also may have a very low industrial or commercial assessment base.

Mr. Martel: Or none.

Mr. Gilbertson: That's what brought the bill in in the first place.

Hon. Mr. Brunelle: There are a few comments I would like to make. One is that it is possible—it has been done under the existing Act—that service clubs like the Lions' Club, the Kinsmen Club and others can donate money and labour, and the donation of both money and labour is calculated in the funding.

Also in the regulations, as the hon. member for Sudbury East mentioned—it is a good point, and I have mentioned it to my staff—we should try to devise some sort of a formula, some sort of a system, whereby again municipalities which have a low-income base should receive higher funding. We will certainly give serious consideration to this, and this can be done through the regulations.

I also would like to mention that many municipalities are taking advantage of winter works programmes, LIP grants and so forth. So there are various ways of trying to help those municipalities who need additional assistance.

The use of the centre was mentioned by the hon. member for Thunder Bay. There again, I would like to mention that in the Act we tried to be as flexible as possible and to provide multiple use of these buildings. There are no restrictions on the kind of recreational activity that can be carried on—dances, bingo, whatever are the wishes of the people in that community. These buildings are for their use—cultural, recreational, educational, multiple use. Our wishes are to let the local people decide; they know best what they would like to have.

Mr. B. Newman: Would the minister permit licensing under the Liquor Control Act?

Hon. Mr. Brunelle: Well, if they have a dance and the weather is cool and they believe that they should have refreshments, that is up to the local wishes.

Mr. B. Newman: Why should the weather have anything to do with it?

Hon. Mr. Brunelle: Well, when it is damp—

Mr. W. Hodgson (York North): It is damp if you have a licence.

Hon. Mr. Brunelle: The hon. member for Windsor-Walkerville raised several points. I am in agreement with much of what he has said, but I do believe that his interpretation of the Act and mine are not quite on the same wavelength. In my understanding of this Act there are provisions for doing those very things—the multiple use, the community use of these community centres.

Mr. B. Newman: Why doesn't the ministry fasten them on to schools, where possible?

Hon. Mr. Brunelle: Mr. Speaker, I think the hon. member will agree that we should not be in a position to dictate to local municipalities, school boards, non-profit organizations, Indian bands—the people themselves who will be using these facilities. We can certainly consult and advise.

Mr. B. Newman: It is not dictating at all; it is recommending and suggesting.

Hon. Mr. Brunelle: Suggesting certainly. And we are entirely in agreement with building those facilities near schools and in schools. The member also mentioned near parks. Community involvement is certainly one of our main requisites.

He mentioned the setting of fees. Again, this is done by the committee of management, and the committee of management again is at the discretion of the local municipality or the school board. We agree that there should be no fees, or very minimal fees, but again I do not believe that we, the government, should dictate to the local school board or municipality—

Mr. B. Newman: And the minister doesn't agree with the select committee's recommendation. Is that what he is saying?

Hon. Mr. Brunelle: What I am saying is that in this legislation the management committees are permissive. If, for instance, it is a joint agreement with a municipality and the school board, I believe it should be left to the discretion of the local municipality and the school board to determine whether they wish to charge any fees and, if they do, what they should be.

Mr. B. Newman: Is the minister aware that many community groups can't get facilities because they can't afford them because of the high charges?

Hon. Mr. Brunelle: Yes, we are aware of that, Mr. Speaker, and that is why we are emphasizing more and more in all our government programmes the community use of facilities.

Mr. B. Newman: But he still doesn't agree with the select committee recommendations?

Mr. Speaker: Order, please.

Hon. Mr. Brunelle: I've looked at the committee recommendations. I must say, Mr. Speaker, that we're really debating the principle on the second reading of this bill, and this bill, I think, is in line with much of what the hon. member was suggesting regarding location. The hon. member mentioned that they should be located as much as possible near municipal parks and so forth to serve a dual purpose. Again we agreed.

The hon. member mentioned section 5, the appointment of a committee of management. Again the Act says "may"—it's strictly at their discretion.

He referred to section 5(7), the power of a committee to let the right to sell refreshments. Again this as at their discretion.

He suggested two or three times that we should be funding these recreational facilities at 80 per cent, and he used the example that we're funding general welfare at 80 per cent. May I remind the hon. member that when we do fund welfare at 80 per cent we obtain from the federal government, under the Canada Assistance Plan, 50 per cent of the amount that the province gives. However, in the capital grants for recreational facilities we do not obtain any assistance.

Hopefully, though, the recreation commands very high importance today. Next week there is a three-day conference in Halifax of all the recreational ministers across Canada. There will be representatives from the federal government. At the last conference it was decided that recreation should be a social service—the same as health is a social service, the same as education is recognized as important—and that therefore the federal, provincial and municipal governments should be funding it more. That's why, in this Act,

we have raised it substantially. Certainly, we would like to raise it more and that's why, through the regulations, we can do this in the future. But in this present case we're raising it. We're tripling the amount of money we've been giving in the past year—this is a substantial increase.

Mr. B. Newman: But if the minister recognizes it as a social service, why doesn't he show his recognition by facts? It's never been debated before.

Mr. Speaker: Order, please.

Hon. Mr. Brunelle: We are, Mr. Speaker. We will be spending, in the coming fiscal year—

Mr. B. Newman: Twenty-five per cent.

Hon. Mr. Brunelle: —of April 1, 1975, to March 31, 1976, about three times more than we are presently spending in this current fiscal year.

Mr. B. Newman: That doesn't prove anything.

Hon. Mr. Brunelle: That is a substantial increase.

Mr. B. Newman: That doesn't prove anything—three times more.

Mr. Speaker: Order, please. Let the hon. minister have a chance to finish his remarks.

An hon. member: Throw him out.

Hon. Mr. Brunelle: We have other recreational programmes that will be announced at some later date.

Now, Mr. Speaker, where was I? Section 7; plans to be submitted. The hon. member said that communities should be involved, and we certainly agree that the local communities know best what they want. It it's a small facility a sketch will do so that we can provide assistance in helping them to plan as good a facility as possible, and if it's a large one then the fire and safety regulations certainly should be considered, so we're entirely in agreement.

The hon. member mentioned the operating grants. Quite true; there is no provision in this bill. This is strictly funding for capital. However, in the Ministry of Community and Social Services Act, which will be forthcoming, there will be provision for assistance for operating grants for recreational committees. So this will be dealt with under some other Act.

The hon. member for Sudbury East brought up several matters. I refer to the matter, which the hon. member for Thunder Bay also brought up, of more assistance to municipalities which have a low industrial or commercial base. He also referred to section 14, as did the hon. member for Peel South and some of the other members, including the hon. member for Huron-Bruce. Section 14 says: "This Act comes into force on a day to be named by proclamation of the Lieutenant Governor."

Mr. Speaker, most of these programmes are planned several months ahead of time. Municipalities—and they are the main ones which will be planning these projects—will have their new councils elected on Dec. 2. Early in the new year the new councils will be planning their programmes for the calendar year of 1975.

As we have in the past we will be writing to all the municipal clerks in all the municipalities to indicate our new programme and as we did last year we will indicate that applications should be submitted in that three-month period from Jan. 1 to March 31. So therefore this Act will apply to facilities that will be built in the calendar year 1975.

The hon. member will appreciate that if we try to provide assistance for facilities that are presently under construction then we would have quite a large number of municipalities which would ask for increased funding and we would have to have practically a retroactive—

Mr. Martel: Some of them have not made application yet.

Hon. Mr. Brunelle: Fine, Mr. Speaker, fine. There is no problem then.

If they have not made application, they should make application, as I indicated, during that three-month period from Jan. 1, 1975 to March 31, and those applications will be considered.

Mr. Martel: But they are under construction; they haven't made application, they've—

Hon. Mr. Brunelle: Well, if they've made application then they are being funded under the existing Act.

Mr. Martel: They haven't filled in the applications and they are building them.

Hon. Mr. Brunelle: Mr. Speaker, all the clerks and all the municipalities are fully aware of our existing programme.

Tendering; the hon. member asked if the municipality is required to tender. In the majority of cases the municipalities are paying 75 per cent of the cost of the facility, therefore we have faith in the local municipality, we believe it is up to the discretion of the local municipality.

Mrs. Campbell: But not in the letting of these centres. It's crazy! It doesn't make sense!

Hon. Mr. Brunelle: An organized municipality can establish a centre in an adjacent unorganized area. I think the member also asked if two or three unorganized areas can get together. They certainly can. They can get together the same as two or three organized municipalities can and form a corporation and they will be eligible for grants. A school board in an unorganized area can also join with a municipality. So there is flexibility in the Act to try to meet local conditions.

The hon. member for St. George as well as other members raised the question about the joint agreements. In the Act we specify that where there is a joint agreement between an organized municipality and a school board it should be done under the Schools Administration Act, section 7(a) or 7(e). The reason for that, as I indicated in my opening remarks, is to prevent duplication.

Mrs. Campbell: But how does it prevent duplication?

Hon. Mr. Brunelle: The grant is given to the municipality; however, it is under the Schools Administration Act.

Mr. B. Newman: How does the minister prevent duplication?

Hon. Mr. Brunelle: It is my understanding that the legal people recommended this to avoid duplication.

Mrs. Campbell: Well, how? Mr. Speaker, would the minister find out how it does it? Because truly I am concerned; I really cannot see how this prevents duplication. It seems to me that it encourages it. I may certainly be quite wrong, but I'd like to be convinced.

Hon. Mr. Brunelle: I think it is on page 6. It is in the Act now. This is the Act that was passed in 1972, or rather an amendment to the Act whereby school boards can do this. The grants are given to the municipalities and it's a joint agreement.

Mrs. Campbell: On page 4, with respect—

Hon. Mr. Brunelle: I'll get a copy of the Act; my solicitor has a copy of the Act.

Mrs. Campbell: Oh, I'm sorry. I thought the minister meant his statement.

Hon. Mr. Brunelle: The legal provisions were already in the Schools Administration Act in 1972 and to put the same provisions in this new bill would have been a duplication. So, Mr. Speaker, we don't feel that there is any administrative problem in this area at all. This will be well known, it will be indicated to the municipalities and we don't think there is any problem at all.

Mrs. Campbell: Mr. Speaker, I wish we could get the municipalities' opinion on that, because I think it would not bear out what the minister says, with respect.

Hon. Mr. Brunelle: Mr. Speaker, certainly we have an open mind on these things, and if this is going to create a problem, certainly we're willing to change this. But I'm advised that there is no problem and to have left it in the Act would have made duplications and would have created problems.

The hon. member mentioned the charging of fees. Again, as I indicated earlier, Mr. Speaker, this is left to the discretion of the local municipality and the school board. As to the hon. member for Wentworth, I am in entire agreement with the point he was making, that if part of a school could be used for a recreational facility and an agreement was entered into by the municipality and that school board, that should be used. Funding is provided for that so there is no problem there. The intent of the Act is to make use of joint agreements and to utilize existing facilities as much as possible. However, as I indicated, the grant is paid to the municipality and not to the school board.

I wish to commend the hon. member for Durham for his very constructive remarks, as well as the hon. member for Algoma, and my colleague behind me, the hon. member for Wellington-Dufferin. I appreciated their remarks. I think I replied to the hon. member for Huron-Bruce.

My colleague from Peel South referred to senior citizens. At present, under the Elderly Persons Centres Act, there is capital funding at 30 per cent for a facility to be built and also for operating grants, but in this Act here it's strictly capital grants. However, I indicated earlier that under the Ministry of Community and Social Services Act, which will be forthcoming, there will be assistance for operating grants for recreational facilities

which will certainly include senior citizens. It will include all classes. Mr. Speaker, I may have omitted some of the queries of some of the members, and if I have, I would be pleased to try and answer them.

Motion agreed to; second reading of the bill.

MINISTRY OF COLLEGES AND UNIVERSITIES ACT

Mr. Parrott, in the absence of Hon. Mr. Auld, moves second reading of Bill 68, An Act to amend the Ministry of Colleges and Universities Act, 1971.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Speaker, I understand the principle of the bill is simply to enable the Ontario College of Art to operate under the Ontario Universities' Capital Aid Corp.

Interjections by hon. members.

Mr. B. Newman: I am sorry.

Hon. Mr. Grossman: Mr. Speaker, is that Bill 68 that you are referring to?

Mr. Cassidy: Well, which bill does he want?

Mr. Parrott: I want Bill 68.

Mr. Cassidy: Bill 68?

Mr. Parrott: Bill 68.

Mr. Cassidy: What?

Mr. Parrott: An Act to amend the Ministry of Colleges and Universities Act.

Mr. Cassidy: On a point of order, Mr. Speaker, in the absence of the House leader, we had understood that Bill 135 was coming forward. Bill 68 is a bill of fairly major principle and we were not given any advance warning that it was coming up. If you want to put the routine one through, fine, but the—

Hon. Mr. Grossman: It is my understanding that the House leader said that the hon. members should be prepared to discuss any bill on the order paper.

Mr. Cassidy: Wrong!

Hon. Mr. Grossman: No, I wasn't here when he said that; that is my understanding.

Mr. Speaker: I note that both bills are named the same; they are both to amend the Ministry of Colleges and Universities Act. Are we on the right one?

Hon. Mr. Grossman: Call Bill 68. That's what we are discussing.

Mr. Cassidy: On a point of order, Mr Speaker, in the absence of the government House leader, we were given to understand by our House leader that Bill 135 was coming forward and that after that we would be moving to budget debate. Certainly there was no indication on our side that we had second reading of a bill of substance, such as Bill 68. It is in itself technical, but it provides the opportunity to discuss a number of matters relating to higher education. These are particularly important at this time, in view of the new university council's importance in university financing, as outlined in the recent statements of the minister.

I would point out as well, Mr. Speaker, that the minister himself is not present for a major discussion of his ministry involved in that bill. I realize that the parliamentary assistant is present, but—

Hon. Mr. Grossman: Mr. Speaker, that is the minister's prerogative. He has a parliamentary assistant who is prepared to carry this bill, at least for tonight. I think the hon. member is making a point which isn't valid at all. The order has been called for Bill 68. I don't know why the hon. members aren't prepared to deal with it.

Mr. Speaker: Bill 68 is the right one, is it?

Mr. Cassidy: The minister does it every time, doesn't he?

Mrs. Campbell: Mr. Speaker, I would just like to ask that we get a little bit of order and fairness in this. When my leader left he advised me that his understanding was that we would be dealing with Bill 135, which has to deal with the Art Gallery of Ontario, the Royal Ontario Museum and the Ontario College of Art. I would suggest, Mr. Speaker, that if we are not going to find ourselves becoming very abrasive about the way in which the business of this House is ordered or not ordered—

Mr. Cassidy: Exactly.

Mr. Speaker: Order, please.

Mrs. Campbell: —then the government should at least let the opposition have some idea of what is to be called. I think, in fairness, the minister was not aware of the situation and that this was the bill we were told would be called following the community

recreation centres bill. I would ask that the minister take that into consideration and not place us in a position where we would be expected to argue major philosophy at this hour, without the minister here. The minister has a right not to be here—but we, too, would have those present from our party who are very concerned about the bill.

Mr. Speaker: May we hear from the parliamentary assistant?

Mr. Cassidy: Is there a quorum in the House, Mr. Speaker? I asked the Speaker whether there was a quorum in the House.

Mr. Speaker: Would the Clerk see if there is a quorum, please.

Clerk of the House. Mr. Speaker, no, we are just short of a quorum.

Mr. Speaker ordered that the bells be rung for four minutes.

Clerk of the House: We have a quorum, Mr. Speaker.

Hon. Mr. Grossman: I think there's been a misunderstanding. Apparently, the House leader did refer to Bill 135. It was an error on his part. Both Bill 135 and Bill 68 have the same titles. Apparently in transmitting the information, he gave the wrong number of the bill. With your permission, sir, I will call order No. 2.

Clerk of the House: The second order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: Before we start on that, the speaker who was last participating in this debate was the member for Grey-Bruce (Mr. Sargent). He had indicated he was not finished. He has communicated with his leader this evening from a far distant point, I might say, and it's impossible for him to be here. Do we have permission for him to complete his remarks at a later date?

Agreed.

Mr. Speaker: I understand the member for Kent, who was in the same position, is here tonight and he would like to complete his remarks.

Mr. J. P. Spence (Kent): Mr. Speaker, it was on Nov. 1 that I adjourned the budget debate. I must say thanks to you for giving me an opportunity again to complete this debate.

Since I first started this budget debate, there have been some changes. Mr. Speaker, I won't go through them all. We have had a by-election in Carleton East and I wouldn't want that to go by without refreshing the memory of the hon. members of this Legislature. The good people of Carleton East chose our Liberal candidate to represent them in this House. I now wish to extend my congratulations to the member (Mr. P. Taylor), though he isn't here tonight. I can say, Mr. Speaker, he will add greatly to the debates of this House and I must say that he will prove himself to be an outstanding member.

Mr. Speaker, I would like to draw to your attention the very serious difficulties which have been experienced by the commercial fishermen in Lake Erie. Because of the current fish harvest, which is very light, the situation is such that many of our fishermen feel the only solution is for the government of this province to give some assistance to them to carry them through this difficult period. A year ago, the fish-packing plant at the village of Erieau was handling between 500 to 600 boxes of perch fish daily. At the present time, it is receiving only 50 to 60 boxes of perch daily. Many of these local residents rely on the fishing industry for a livelihood and the poor fish harvest is causing them real hardship in that community.

Apparently, there are several factors which have contributed to the poor harvest. There has been a problem with the enforcement of the size limit of the 8-in. perch due to the shortage of personnel in the Ministry of Natural Resources. Also, the commercial fishermen consider that the ban on the big mesh gear in the waters of Kent and Essex counties has allowed the number of junk fish to increase. If this lake isn't fished commercially, there are frequently large buildups of coarse fish which can upset the natural balance of fish in the lake.

With respect to the possibility of financial assistance for the fishermen, I must point out that many of them are still repaying loans given to them by the Ontario Development Corp. during the mercury scare, and these repayments are causing a very difficult financial struggle. Many of them have to mortgage their boats and make these monthly payments on their loan as well as pay the back interest. On a 15-boat fleet at Erieau, fewer than six boats are bothering to set out their nets at the present time.

There is great concern, because it's almost impossible to know when a large catch of perch is likely to appear again. The big question is, of course, how long the commercial fishermen can hold out with little or no income to keep them going. Many boat owners have lost their crews to factories and other jobs where there is an assured, steady income. Other boat owners are giving consideration to fishing in other lakes in the Province of Ontario, provided they can purchase the appropriate licences.

Mr. Speaker, some time ago I asked that consideration be given to the possibility of compensation for retailers because of the work involved in collecting the provincial sales tax. The Retail Merchants Association of Canada, which has been traditionally the spokesman for the independent retailers in this province, requested the Ontario government in the year of 1973 to provide some compensation to the vendors under the Retail Sales Tax Act.

However, the retailers continue to act as unpaid tax collectors for the government of the Province of Ontario, although in virtually every other province in Canada compensation is paid for this service. In British Columbia the payment starts at three per cent; in Quebec and New Brunswick, two per cent. The government has recognized the principle of compensation in regard to motor vehicle, hunting and fishing licences but continues to refuse to do so in the field of the retail sales tax.

Retailers continue to take much of the blame from customers for the imposition of this tax, and also have a considerable amount of extra work in collecting this tax, as well as the possibility of being liable for a penalty for late returns. The small retailers, particularly those who have no bookkeepers, suffer the most from this serious situation.

Mr. Speaker, since I made the first part of my speech some days ago, the situation has worsened in the beef industry and I feel I must refer to this matter again at this time. Obviously something is seriously wrong when the processors in Ontario are forced to throw away their products rather than sell them, while at the same time consumers continue to pay high prices for beef.

In the past, the usual pattern has been that when the consumer prices are low, the farmers suffer financially, and when the farmer is receiving a decent return for his investment, prices are generally higher to the consumer. However, this is not the pattern in the beef industry today.

Farmers are currently being paid less for their cattle, while the consumers are paying considerably more for their beef. Falling cattle prices and soaring grain prices are causing the plight of the farmers across the Province of Ontario. Today, corn is $3.50 a bushel. Hay last year was $25 a ton and today hay is selling at $55 a ton. In fact, it is more economical today for the farmer to sell his corn than feed it to his cattle. And, of course, Mr. Speaker, he is selling his cattle. Recently farmers have been receiving the following prices for their cattle. At the Kitchener stockyards last week, top beef was 50 cents to 55 cents a pound, and cutters and canners 12 cents to 22 cents a pound. At the Waterloo stockyards last week, top-quality steers sold at 50 cents to 54 cents a pound, and canners 14 cents and 15 cents a pound. Ontario Federation of Agriculture, Nov. 7, Toronto stockyards: A1 and A2 steers, 53 cents to 55 cents a pound, and canners from 10 cents to 16 cents a pound. So you can see, Mr. Speaker, this is a serious situation for farmers in the beef industry.

I referred earlier to the government's tendency—perhaps "habit" is a better word—to ignore warnings and advice. I would just like to refer to their announced intention in the Speech from the Throne to carry out another feasibility study on a possible road link to James Bay through Moosonee. Mr. Speaker, at no time do I want to take anything away from northern Ontario, but I've heard this twice in Throne speeches in this House since I became a member some 12 or 14 years ago.

The possibility of port facilities on James Bay has been discussed in great detail in the past in this Legislature. One of the hon. members who knew the area very well at that time pointed out that very soon, after the commencement of work on such facilities, the workers would run into great difficulties with quicksand. He reckoned that the faster they dug it out, the faster it would run in. And so many workmen would be necessary to handle the quicksand that we would never have a problem with unemployment in Canada again. Obviously the proposed road link would be essential to transport the armies of workmen to the construction site at James Bay.

Perhaps we could draw a parallel between this possible situation and the tremendous increase of staff in the office of the Premier (Mr. Davis). When you build an unstable foundation, you need an army of people to keep this situation under control. However, it is obvious that even the Premier's army

has been unable to cope with the quicksand into which this government has blundered, when cabinet ministers talk about panic and things getting out of control.

Since the last provincial election the long story of government spending and government bungling seems to be never-ending. Much has been brought to the attention of this House and the taxpayers of the province, and doubtless there is still much more to be brought to the light of day. The famous, or I should say the infamous, blue machine is going to have to work overtime if it is to make any attempt to whitewash the record of this government prior to the next provincial election.

Mr. R. G. Hodgson (Victoria-Haliburton): What about the red machine?

Hon. R. Brunelle (Minister of Community and Social Services): Yes.

Mr. Spence: We haven't got it working yet.

Mrs. M. Campbell (St. George): The little red wagon.

Mr. Spence: We're just getting it oiled up.

Mr. R. G. Hodgson: That will be true.

Mr. G. Dixon (Dovercourt): That is true.

Mr. Spence: Like many people, I was very impressed during the last campaign with the effectiveness of this renowned Goliath in the public relations field. But I no longer believe that the people of Ontario will forget the questionable activities of cabinet ministers, the extravagance and ineptitude of government in almost every area.

Nor do I think they will forget the facts brought to the public's attention by the committee on the Workmen's Compensation Board, the controversy over the $44-million office building being built on University Ave. for Ontario Hydro, or the many other extravagant actions of the government and the Premier which have given rise to much discussion in this Legislature and in the homes and meeting places across the Province of Ontario.

There is no question, of course Mr. Speaker, that the recent by-election results in Carleton East and Stormont are an indication of the electorate's disillusionment with the present provincial government. Obviously the Premier and his colleagues will be doing everything possible to repair their political fences in the months ahead. Doubtless we shall be bombarded with information that "Premier Davis is doing things for people" or some other similar slogan.

Mr. R. G. Hodgson: That will be true.

Mr. Spence: That will be right. Is that right?

Mr. G. Nixon: That is true.

Mr. Spence: I am aware that the people of Ontario have learned and learned well that whatever this government may do for the people, it is the people who pay. They have learned that this government cares little for the views expressed in this Legislature and in this province. They have learned that this government promises one thing and does another more frequently than any other government in history. Is that right?

Interjection by an hon. member.

Hon. A. Grossman (Provincial Secretary for Resources Development): The charge was we don't change them often enough.

Mr. Spence: They have learned that this government changes its policies and its cabinet ministers as often as some people change their shirts.

Some hon. members: Oh, oh!

Mr. Spence: They have learned that the people of Ontario can be sure of only one thing, and that is they cannot be sure of anything at all as long as these fellows continue in power.

Mr. Speaker: The member for Wellington-Dufferin.

Mr. M. Cassidy (Ottawa Centre): This is an historic occasion, Mr. Speaker, that he speaks twice in a day; it really is.

Mr. D. A. Evans (Simcoe Centre): He says something, which is more than the member who just spoke does.

Mr. J. Root (Wellington-Dufferin): Mr. Speaker, as there has been a reference to my remarks, I want to correct one thing. I said tonight we were ending 23 years of service—the member for Haldimand-Norfolk (Mr. Allan) and the member for Welland (Mr. Morningstar). It's tomorrow night. I wouldn't want to mislead the House for one night. We will start our 24th year on Saturday.

Mr. Speaker, I welcome the opportunity to make a few comments during the budget debate regarding some matters that I think should receive consideration. I also want to make some comments about the budget state-

ment itself and the lead-off speeches by the hon. member for Kitchener (Mr. Breithaupt), speaking for the Liberal Party, and the hon. member for York South (Mr. MacDonald), speaking for the NDP.

Mr. Speaker, the policy that is being pursued by the insurance companies has caused me considerable concern for some time. I now feel free to speak about this matter since my own family have grown up and are on their own.

Mr. Speaker, I have always felt that no one should be penalized until they have been charged, tried and convicted. Yet we find that here in the Province of Ontario we require young drivers to take training and pass a test before they are issued with a driving licence. Having met the requirements and received a licence, they go out to buy insurance for their automobile and find immediately they are penalized, having committed no offence.

The insurance rates are much higher for young people, particularly young men, than they are for the general public. I know scores of young people who have committed no offence against the Highway Traffic Act and yet they have paid an excessive premium for many years.

Now it seems to me this is a matter that should be looked into and perhaps brought to the attention of the insurance companies. I feel the people who are irresponsible are the ones who should pay the high premiums.

Mr. B. Gilbertson (Algoma): They don't usually have the money.

Mr. Root: The young people who are careful, responsible drivers should not be penalized. I think if we recognized that principle we would encourage our young people to be careful drivers.

I hope that the hon. Minister of Consumer and Commercial Relations (Mr. Clement), along with his staff, will give some thought to this situation which I think deserves investigation. I realize that if young people are to start out with insurance at normal rates, people who commit offences will probably have to pay an even higher rate. I think that is only fair, and it will encourage young people to be careful drivers.

I know we are all concerned about the slaughter that takes place on our highways. We know that it is recognized that alcohol is involved in almost half of the fatal accidents on our highway system. There also has been thought and suggestion that perhaps the wearing of seatbelts should be compulsory. While I am not opposed to people wearing seatbelts, I wonder whether it would be any easier to enforce the compulsory wearing of seatbelts than it would be to enforce total prohibition of alcoholic beverages.

Perhaps the seatbelts would have the effect of stopping some young girls from literally reading the signs that are on our highways. When you are coming to certain intersections, there are signs saying, "Squeeze to the left." Perhaps the seatbelts would stop that left-squeezing and might make it easier for the young man to maintain control of his car. That is in a little lighter vein.

Mr. C. E. McIlveen (Oshawa): It certainly is in a lighter vein.

Mr. Root: Referring to the budget, I thought the budget introduced by the hon. provincial Treasurer (Mr. White) was one of the finest budgets we have had introduced in the province for many years. It is a budget that proposes to reduce the public debt by some $449 million, leaving the lending agencies free to invest their money in other areas, such as Hydro, municipal debentures and private financing.

Mr. P. D. Lawlor (Lakeshore): The hon. member is not taken in by that budget, is he? He is a wise old owl.

Mr. Root: Among the other items of particular interest to me was the guaranteed income for some 311,000 elderly people, and blind people and disabled, guaranteeing $50 per week for single persons and $100 per week for married couples in this programme; and I believe that has been increased. Free prescription drugs to needy pensioners, I am sure, will solve a great problem for many of our needy pensioners.

Mr. Speaker, I am sure that our municipalities will appreciate the fact that there will be an increase of some $239 million in direct transfer to local governments, bringing the provincial contribution to local government financing to approximately 48 per cent. I am sure that the rural municipalities will appreciate the fact that the province will allocate a special amount of $17 million to assist the smaller municipalities in the rural areas in financing their needs for roads.

Mr. Lawlor: What on earth are they going to do next year?

Mr. Root: Mr. Speaker, those of us who come from rural Ontario are aware that the traffic volume is increasing on our rural roads and that the value of the dollar to maintain and construct roads is going down. This extra

money on the rural roads will help us to maintain our good rural road system.

I am sure that raising the basic exemption for succession duty from $100,000 to $150,000 will meet with general approval.

Mr. Lawlor: A completely purblind policy. We get no money out of death duties at all.

Mr. Root: Another highlight in the budget was the removal of sales tax from a list of certain household and personal hygiene items—

Mr. Lawlor: How can taxes hurt us after will die?

Mr. McIlveen: We can always tell when it hurts over there, because he starts to holler.

Mr. Lawlor: That is when it hurts the least.

Mr. Root: —when purchased from retail stores for home consumption, and for the purchase of shoes up to $30 a pair. This will take care of the situation that developed when some of the children had larger feet than those of the average child.

Mr. McIlveen: How's the member's brother-in-law?

Mr. Lawlor: We won't even notice the pain.

Mr. Root: I am sure that our people will appreciate the fact that it would require less than six months of the provincial revenue to wipe out the public debt if we were to use all of our revenue for that purpose. In other words, the finances of the province are on a sound basis. We in Ontario have remained strong and prosperous because we have lived for some 30 years under sound Progressive Conservative policies—

An hon. member: And we'll be around for another 30 years.

Mr. Lawlor: There's nothing like hoodwinking themselves.

Mr. Root: —policies that create the climate for people to manage their own affairs and expect a reasonable return on their investment, their hours of labour or their professional service.

This policy of creating a climate for people to run their own affairs has been pursued since the days when Sir John A. Macdonald, the founder of the Conservative Party and the first Premier of Canada, against tremendous opposition, the same as we have here today, built a railway across the continent and made it possible for the people to move in and develop this great nation of which we are all so justly proud.

Mr. Lawlor: Using federal government money. What is the hon. member talking about?

Mr. Root: The Conservative government here in Ontario has preserved the same policy, developing sources of energy, hydro-electric power, fossil-fired generators and now nuclear development—

Mr. Lawlor: Socialism pure and simple.

Mr. Root: —giving us the energy to turn the wheels of industry and providing the job opportunities for the millions of new people who have come to establish their homes here in Ontario.

Hon. Mr. Grossman: Great province. Is there any place you'd rather be?

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Lawlor: Has the member got any more examples of free enterprise?

Mr. Root: Yes, you could take a look at Saskatchewan where they haven't had free enterprise; the people are getting out of there. That has probably aggravated our housing problem; they are coming down here for jobs and to get a home.

Mr. G. Nixon: Right.

Mr. Lawlor: Down with OHC!

Mr. Cassidy: Down with Hydro!

Mr. Root: Transportation arteries have been financed—

Mr. Lawlor: It is holding up everything.

Mr. Speaker: Order, please.

Mr. Root: Transportation arteries have been financed and built all over the province and are being extended into all areas of the province; not only road transportation, but air transportation. We have provided the educational facilities that have made it possible for our young people to receive advanced education that it was not possible to achieve under the system we inherited after nine years of Liberal government.

It is true that our educational system has cost and is costing us a lot of money. There is no reasonable way that could be avoided.

Hon. Mr. Grossman: Look what it produces.

Mr. Root: When I ran my first election at the time the Conservative Party took power, we had something between 600,000 and 700,000 pupils in our three levels of education. The last time I checked it was over 2,200,000. That made it necessary to build many new schools, colleges and universities. These schools, colleges and universities had to be staffed, and no longer could you expect teachers to teach under the low salaries they received in the 1930s when we had another party in power.

I know of many public school teachers who taught school at $500 and $600 a year; and high school teachers who started teaching at less than $3,000.

Hon. Mr. Grossman: Which party was in power?

Mr. Root: The Liberals.

Hon. Mr. Grossman: Oh, the Liberals.

Mr. Root: All of that has been changed, and as a result we find the vast majority of our population have moved into a reasonably high income bracket and are contributing tremendous amounts of money to personal income tax—

An hon. member: We have the highest tax in the world.

Mr. Root: —retail sales tax, gasoline and fuel tax, tobacco tax, and vehicle registration fees and liquor control board profits. The few items that I've mentioned, it is estimated, will bring in possibly over $4 billion worth of revenue in the next fiscal year.

In other words, what I'm saying is that our educational system, while it has been costly, has paid off. We have moved our people into an income bracket where they can have a good living and contribute substantial amounts of money to the Treasury in the ways that I have mentioned, and in other ways. If you add in the corporation and mining taxes, we would be talking about an estimated $4,746,000,000.

I'm sure that everyone will be pleased to know that additional revenue will be raised from the profits of our corporations and mining tax resources. All these revenues are associated with the prosperous, progressive economy that has been brought about under the sound policies that have been pursued by the Conservative government.

Mr. G. Nixon: Give us more of the truth.

Mr. Root: All of our main sources of revenue are related to prosperity. I would just interject this: I'm sure that Mr. Trudeau and Mr. Turner are very happy that Ontario has prospered as it has prospered under this government, or they would be left with only half of their revenue.

An hon. member: They would be dead without us. They're dead anyway.

Mr. Lawlor: Those interjections are completely irrelevant.

Hon. Mr. Grossman: There are only two members of the NDP present.

Mr. Cassidy: My brothers are with us in spirit.

Mr. Root: That revenue will help them to subsidize the provinces which haven't had the good fortune to live under Conservative government for 30 years.

Mr. Speaker, when I look at the budget and realize what it means to the future of this province, I'm surprised that the opposition parties had the temerity to get up in the House and move amendments.

Mr. Lawlor: Good for you.

Mr. Root: I want to say something about the speeches that were made, first by the hon. member for Kitchener speaking for the Liberal Party.

I came into the House and heard the member for Kingston and the Islands (Mr. Apps) challenge a figure that he gave regarding the population of Kingston. The members will find the remarks on page 1083. I took the trouble to read through his speech. I found some more unfounded statements on page 1073.

Hon. Mr. Grossman: Shame.

Mr. Root: He was making reference to moneys that certain members of the Legislature received for services in connection with the government. I noted his reference to what I was paid for the days when I sat as a member on the Environmental Hearing Board. The figure that he used is not a statement of fact. At no time was I ever paid the amount that he put in the statement.

An hon. member: Oh, well, that's the way they all are.

Mr. Root: That's the second time the member for Kitchener has inserted in 3,000 copies

of Hansard wrong statements regarding the amount of money—

Mr. Lawlor: Oh, come off it. The member for Wellington-Dufferin did fairly well for himself.

Mr. Root: —that I have been paid for the service I rendered on the Water Resources Commission and on the Environmental Hearing Board.

Mr. Cassidy: How much was he paid then?

Mr. Root: The statement that he used in the past—

Hon. Mr. Grossman: It is on the record.

Mr. Root: —as broadcast by the news media is a complete distortion of the facts. I brought it to the attention of the House that it was not a statement of fact and I thought he would probably have had the courtesy to get up and apologize. However, he did not do that.

Mr. Cassidy: He cannot apologize until he knows the facts.

Mr. Root: I am not going to say the hon. member is not an honourable member, but I am going to say that he had better get a better research staff, or stay out of his law office and do his own research and write his own speeches—

An hon. member: Right.

Mr. Root: —because the people who are writing the speeches that he reads, or providing him with the material that goes into the speeches, are really destroying the credibility of everything he says.

Mr. Cassidy: Put the facts on the record.

Mr. Root: I have drawn attention two or three times to instances when this member has made statements that had no relation to facts, according to the member for Kingston and the Islands and according to the records as far as I am personally concerned. Having said that, in no way can I support his amendment to the budget statement, because I'm not sure whether any of the statements that he used were carefully researched and are facts, or whether they are off the top of the head of some irresponsible person providing him with figures without adequate research and destroying the member's credibility.

Mr. Cassidy: We want to know how much the member was paid.

Mr. Root: I notice when the hon. member was referring to the amounts of money paid to members for services rendered, in addition to their pay as members of the Legislature, he failed to mention the extra money paid to himself as chairman of the public accounts committee and to the fact that his leader is paid more than cabinet ministers are paid. The leader of the NDP (Mr. Lewis) receives extra money, plus car, and opposition members as well as government members are paid for the time they serve on select committees.

Mr. Cassidy: They are worth it too, especially the leader of the NDP.

Mr. Root: It seems to me, if the member was putting into Hansard what members are paid for their services, to be fair he should have put in what the opposition members are paid as well as government members.

Mr. Cassidy: But the member could set a precedent by saying how much he was paid.

Mr. Speaker: Order, please.

Mr. Root: Mr. Speaker, if the member reads Hansard, he will find what I was paid. I put it in Hansard. If he would read Hansard a bit instead of yakking all the time, without knowing what he is talking about—

Mr. Cassidy: That's all I wanted to know.

Mr. Root: —he would probably be able to keep his seat in the House instead of walking out.

Mr. Speaker, I looked at the speech of the hon. member for York South, a man who I had always felt perhaps did his research more efficiently than the financial critic for the Liberal Party. However, I noticed in his address, speaking for the NDP, he was interrupted some 36 times by members of his own party. This seems to indicate to me they didn't have confidence in his ability to present the views of that party.

Mr. Cassidy: Not at all. We give the same treatment to both sides.

Mr. Lawlor: I take it we were supporting him.

Mr. Root: I think we can only come to the conclusion again that even the members of his own party did not have confidence in all of the things he was saying.

Mr. Lawlor: It was plaudits, my friend.

An hon. member: They stabbed him in the back a long time ago.

Mr. Root: I am only referring to the interjections where the name of a member was tied to them. There were other interjections that may have come from his party.

Mr. Lawlor: This is my 36th interjection to the member's speech.

Mr. Cassidy: And he hasn't said anything yet.

Mr. Root: I suppose some of these interjections which were from his own party came from people who perhaps feel they should receive more recognition. In going over the results in the last provincial election, I find there is only one member of the NDP in the front row who received a clear majority, and that is the member for Thunder Bay (Mr. Stokes). Other members in the second row did receive majority votes, namely the member for Sandwich-Riverside (Mr. Burr), the member for High Park (Mr. Shulman) and the member for Sudbury East (Mr. Martel).

I note the member for High Park has said he is fed up and is going to get out of politics. I'm afraid he made a mistake when he joined that party. I suppose he is very unhappy, having won a clear majority in his own riding, to sit behind people who couldn't get half the votes in the ridings they represent.

I might say for the benefit of people who are very satisfied with the results of the by-elections that not one of the members who won those by-elections got half the votes in the riding. They got in on a split vote.

Mr. Cassidy: The member got a majority and look at how much he contributes to this House.

Mr. Root: I've had a majority in my last three elections. In 1963, if I'd had another 130 votes I'd have had twice as many votes as all the combined opposition.

An hon. member: How many votes is he going to get in the next?

Mr. Lawlor: That just proves something about majorities; that's all.

An hon. member: He'll be running like the wild goose.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): What kind of smart crack is that?

Mr. Root: In the last election, I took more votes than the three men who were running against me.

Mr. Lawlor: This is the weirdest argument I have ever heard.

Mr. Root: I know that type of majority is not really known in the NDP. They don't seem to be able to get the majority of people until they get in the corner. That's how they get in, on split votes.

Mr. Cassidy: But we do bloody well for the voters we got.

Mr. Speaker: Order, please.

Mr. Root: I have often wondered, as I watched the member for Sudbury East pile up the majority that he piled up in that riding, why his party doesn't make him the leader. He seems to have a lot to say, interjecting and commenting on various matters. I suppose he is very uneasy having to sit and listen to people attempting to lead his party, who couldn't get half the votes in their own ridings. However, Mr. Speaker, that is just an aside.

Let me conclude my remarks by saying that, having read the budget address and the addresses of the hon. member for Kitchener and the hon. member for York South, there is no way I can see how any responsible, reasonable person can vote other than to support the budget presented by the hon. provincial Treasurer. Thank you very much.

Mr. Speaker: Would the House leader adjourn the debate?

Hon. Mr. Winkler: Does somebody else want to move the adjournment? There may be some speakers here. If not, I will adjourn the debate.

Hon. Mr. Winkler moves the adjournment of the debate.

Motion agreed to.

Hon. Mr. Winkler: Before I move the adjournment of the House, Mr. Speaker, tomorrow morning we will deal with legislation in this order: First item 24. Bill 137; second, order No. 35, Bill 152; third, order No. 21, Bill 134.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, NOVEMBER 22, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. R. G. Eaton (Middlesex South): Mr. Speaker, I would like to introduce to the House, in the west gallery, the members of the First Dorchester Scout Troop and their leaders and ask the members to join with me in welcoming them.

Mr. J. Lane (Algoma-Manitoulin): Mr. Speaker, it gives me pleasure at this time to introduce to the House a group of 4H Club members, seated in the east gallery, from Manitoulin Island. With the club members are Mr. and Mrs. Clinton Nesbitt from Gore Bay. Mr. Nesbitt is the agricultural representative for that district. I would ask my colleagues to welcome them to the House.

Mr. Speaker: Statements by the ministry.

Mr. S. Lewis (Scarborough West): There'd better be some.

Mr. M. Shulman (High Park): What ministry?

Mr. Lewis: Come on, this is ridiculous.

Mr. R. F. Nixon (Leader of the Opposition): Which one?

Mr. Speaker: Order, please.

Oral questions.

Mr. I. Deans (Wentworth): On a point of order, surely it is unfair that we should be expected to ask questions of two cabinet ministers.

Mr. Lewis: Absolutely.

Hon. A. Grossman (Provincial Secretary for Resources Development): Even though members opposite don't have any.

Mr. Deans: Would the Speaker entertain postponing the question period until there may be someone to ask?

Mr. Lewis: Or, Mr. Speaker, on a point of order, perhaps adjourning the House for 10 or 15 minutes until the cabinet can be pulled together.

Mr. Speaker: Has anybody any questions of the Minister of the Environment (Mr. W. Newman)?

Mr. Lewis: Oh, come on.

Mr. R. F. Nixon: Mr. Speaker, on the point of order, even if we don't have a question period, I don't know what business can be conducted because the bills that were indicated by the House leader last night are not under the supervision of anybody present. Just so that we can ring the bells for a while, sir, I shall move we adjourn.

Mr. R. F. Nixon moves the adjournment of the House.

Hon. Mr. Grossman: Mr. Speaker, on the point of order—

Mr. Deans: A motion to adjourn is not debatable.

Mr. J. E. Stokes (Thunder Bay): It's not debatable. Call the vote right now.

Mr. Lewis: Yes, that's right.

Hon. Mr. Grossman: There is no reason to believe the ministers who have bills coming forward won't be present—

Mr. D. C. MacDonald (York South): The minister is breaching the rules.

Interjections by hon. members.

Mr. Speaker: Mr. R. F. Nixon has moved that the House adjourn.

Those in favour of Mr. Nixon's motion, will please say "aye."

Those opposed will please say "nay."

In my opinion the "nays" have it.

Call in the members.

Those in favour of the motion to adjourn will please rise.

Those opposed to the motion will please rise.

Clerk of the House: Mr. Speaker, the "ayes" are 20, the "nays" 35.

Mr. Speaker: I declare the motion defeated.

Before we start the clock running for the question period, the Minister of the Environment has indicated he has quite a lengthy answer to a question, so I suggest that he give his answer under statements. We called that order earlier and then we actually called the question period, so I would like the permission of the House to revert to statements by the ministry.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, if I may, I would like to introduce a group of students from Port Credit Secondary School with their teacher, Mr. Ian McSkimming. I'm sure the hon. members will join me in welcoming this group of students, which I think is in the east gallery.

Mr. Speaker: The Minister of the Environment.

NAPANEE INDUSTRIES

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I have the answer to the question previously asked by the hon. member for High Park (Mr. Shulman) concerning Napanee Industries.

The member did not state which ministry project he was referring to when he said it was the ministry's ruling under the Public Works Creditors Payment Act which prevented Napanee Industries (1972) Ltd. from "putting a mechanics' lien on the main contractor and collecting their money." Speaking in general terms, however, the law is such that the Mechanics' Lien Act does not apply to ministry works located on government-owned land. The ministry cannot change that by issuing a ruling. The legislation applying to ministry projects is the Public Works Creditors Payment Act.

As to the member's implication that the Ministry of the Environment is responsible, directly or indirectly, for Napanee Industries closing down its plant, I emphatically deny that assertion. On the contrary, my ministry went out of its way to help Napanee Industries overcome its problems. On the basis of competitive quotations received, the ministry selected Napanee Industries as a supplier for prefabricated steel sewage treatment plants for four contracts awarded in late 1973 or expected to be awarded in early 1974.

Although the principals of Napanee Industries knew in October or November, 1973, that their steel quota was inadequate to enable them to fabricate these plants, they did not inform the ministry of this situation until Feb. 6, 1974, by which time the ministry had awarded general contracts and general contractors had placed orders with Napanee Industries for the plants.

The then Minister of the Environment (Mr. Auld) tried personally to help Napanee Industries by writing to the president of Stelco asking that Napanee Industries' allocation of steel plate be increased to enable it to fulfill its obligations and avoid the laying off of workers. The reply of February, 1974, from the president of Stelco, indicated that owing to the shortage of steel it was unlikely that Napanee Industries' quota could be increased until the second half of 1974.

As a result of Napanee Industries' delay in informing the ministry of its inability to fulfill the orders for the plants, the ministry was put to considerable additional expense and delay on four contracts where the sewage treatment plants had to be redesigned. Earlier notification would have enabled the ministry to have avoided some of the extra costs by redesigning the works at an earlier stage.

On two other projects—Geraldton and Havelock—the ministry went to considerable trouble to draw up special arrangements with Napanee Industries to enable substantial financial interim payments to be made by the ministry to Napanee Industries before the materials and equipment were delivered to the job site. This special concession was to assist Napanee financially as payment is not normally made until the equipment has been delivered to the jobsite.

In spite of this special treatment, when the time came to deliver the materials and equipment to the jobsite, Napanee Industries delayed delivery for weeks so that eventually the general contractors concerned had to make their own arrangements for delivery. On one of the projects, Geraldton, many essential items of equipment were found to be missing and the ministry was put to considerable trouble ascertaining the deficiencies and ordering the items itself. Meantime, of course, the construction work was delayed and the general contractor gave notice of claims against the ministry. The normal arrangement on ministry contracts is that the contractor orders and pays for materials and equipment and the ministry pays the contractor for materials on site and work done.

Napanee Industries has been involved as a supplier of factory-built pumping stations or as a subcontractor on the supplying and field erection of sewage treatment plants on

a number of projects. The projects which did not involve problems between the contractor and Napanee Industries were exceptional. Complaints by contractors of delays, deficiencies or lack of co-operation by Napanee Industries were frequent, and on numerous occasions contractors back-charged Napanee for additional costs incurred. Some contractors and consulting engineers vowed that they would refuse to become involved with Napanee Industries on future jobs.

I have copies of correspondence here from different contractors and consulting engineers who are or were involved in various ministry projects, complaining about delays or lack of co-operation from Napanee Industries.

I think I have said enough, Mr. Speaker, to refute the assertion by the member for High Park that the Ministry of the Environment is in any way responsible for the financial problems experienced by Napanee Industries.

Mr. Shulman: Mr. Speaker, may I ask a supplementary?

Mr. Speaker: No; we are not in the question period yet. You'll have that opportunity.

Oral questions

CROWN EMPLOYEES BARGAINING ACT LEGISLATION

Mr. R. F. Nixon: I would like to ask the Premier if he can explain to the House why there is this continuing delay in the introduction of the amendments to the Crown Employees Bargaining Act legislation, which will have a substantial influence, I would suggest Mr. Speaker, on the course of the negotiations which are presently on ice until the two sides sit down again early in December?

Hon. W. G. Davis (Premier): Mr. Speaker, I think if the Leader of the Opposition wished to address his question to the House leader on Monday, he would have some answer.

Mr. R. F. Nixon: Supplementary: Would the Premier not agree that this matter is one of substantial policy and has to do with a matter of grave concern, not only to the public servants but to the people of the Province of Ontario, since the outcome of this certainly will have a tremendous influence on the provision of services if, in fact, there is a withdrawal of service?

Hon. Mr. Davis: Mr. Speaker, I agree that it is a matter of great concern.

Mr. R. F. Nixon: I am sorry, Mr. Speaker, I asked the Premier not only as a matter of concern, but a matter of policy, over which of course he has direction.

Mr. Speaker: The Leader of the Opposition has the floor momentarily.

Hon. Mr. Davis: Mr. Speaker, the Leader of the Opposition is quite right—it is a matter of policy.

Mr. Lewis: Supplementary, Mr. Speaker: Does the Premier—

Mr. Stokes: My, the Premier is short this morning.

Mr. Lewis: Well, maybe he will be short again. Does the Premier not recognize that he might be able today, this morning, to turn the whole confrontation around into a conciliatory atmosphere simply by indicating to the House in general terms what he intends to alter in the CECBA legislation? The Civil Service Association of Ontario at this very moment is meeting in convention, and if they had some indication of good faith from the government today, the Premier might be able to dilute the antagonism for the next several weeks.

Hon. Mr. Davis: Mr. Speaker, we would be most anxious to see there is no confrontation or controversy; I guess one can't avoid controversy, but I'm very hopeful there won't be confrontation.

There were certain representations made by the CSAO to the government. These matters are and have been considered by the government. This relates to the legislation. I believe the Chairman of Management Board (Mr. Winkler) has communicated with the CSAO, and I think it is only appropriate that they be discussed with them. As I understand it from the Chairman of Management Board, they are ready, like yesterday.

Mr. Speaker: Does the Leader of the Opposition have any further questions?

An hon. member: They are.

Mr. Lewis: A supplementary: To discuss changes in the legislation as well as—

Mr. Speaker: There will be no further supplementaries.

Mr. Lewis: I am sorry.

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. R. F. Nixon: I have a further question of the Premier. I must admit that it could have been directed to the Minister of Colleges and Universities (Mr. Auld), but I put it to the Premier since he has a great interest in this matter and it must surely have been a part of the policy as stated.

Is there any consideration being given to accepting the suggestion of Dr. Macdonald, the president of York, the former chief economist for the government, that in view of the problems the provincially-assisted universities are going to face with the announcement by the government of what they consider to be inadequate funding during the coming year, that some sort of a loan fund should be implemented—I think he referred to it as a university bank—which would have credit on a rotating basis to assist the universities with the problems they are going to face in the next few months, if they must come under the economic pressures inherent in the statement from the ministry?

Hon. Mr. Davis: Mr. Speaker, I think it's perhaps a shade premature to determine exactly what pressures each individual institution will have. There is no question that with the constraints, both in this field and others, it is going to be difficult for the university community, as well as for the other post-secondary institutions. At the same time, I think they represent substantial increases in the BIU or whatever combination of formulas is developed. In terms of support to the post-secondary institutions, I think it represents a figure that probably is in excess of, if one can define it, the inflationary amount.

At the same time, I am not questioning that some institutions will have some difficulties. Now whether or not they can meet them, as they go through the figures, quite frankly I don't know, Mr. Speaker. The government has always attempted to resolve the problem, both of the universities and other institutions, and we are not averse to sitting down with them if in fact a very genuine problem emerges.

I was a little concerned, Mr. Speaker, if I can just add this, when I read a headline that the universities might have to restrict enrolment. As I recall the formula and the way it works, I don't see this as being a solution to the problem and I for one—and I am speaking now here without consultation with the minister responsible—would be more than a little concerned if the possibility of curtailing enrolment became a policy by some of the institutions. I would express the hope, Mr. Speaker, that that will not in fact emerge, and I for one would be most concerned if it were considered.

Mr. R. F. Nixon: A supplementary: Since the agreement between the provincially-assisted universities and the ministry does not permit any change in tuition, and the various universities have indicated publicly what their level of deficit would be under the arrangements announced a few days ago—for example McMaster said they will have a deficit of $4 million— what is the alternative? Is it, let's say, to reduce the quality of the education offered? Or is there that much, sort of fat in the system, that it can be squeezed out to meet the financial pressures that are being brought to bear?

Hon. Mr. Davis: Mr. Speaker, I don't think one can say, in a comprehensive sense, what efficiencies can be further developed within the universities. I think, in fairness, they have made very genuine efforts in the past three or four years to do so. I can't comment on each individual institution. At the same time, as I said, we are operating—this government at least—with constraint. As I listen to the Leader of the Opposition and his observations about government expenditures, I know that he supports this in principle, although of course he objects to it as it affects individual constituencies where there is perhaps some political motivation involved—

Mr. R. R. Nixon: What is the government's motivation?

Mr. Speaker: Order.

Hon. Mr. Davis: Our motivation is very simple—

Mr. R. F. Nixon: Is it not to retain power?

Mr. Speaker: Order.

Hon. Mr. Davis: —to retain the financial integrity of this province, not to go around promising a lot of people things we can't deliver, but to deal with it responsibly, which is more than the position of the Liberal Party.

Mr. R. F. Nixon: Is it not to retain power at any cost?

Mr. Speaker: Order.

Mr. R. F. Nixon: Why does the Premier's answer have to come down to that level?

Why does he have to be so insulting and to allow his answer to come down to a level which is surely inappropriate?

Mr. Speaker: Order please.

Interjection by an hon. member.

Mr. R. F. Nixon: It is a matter of survival.

Mr. Lewis: I have a supplementary.

Mr. Speaker: Order, please. A supplementary by the member for Scarborough West.

Mr. Lewis: This policy is the only thing the Premier has in common with Beland Honderich; cherish it.

May I ask the Premier, by way of supplementary: Since Ian Macdonald, presumably in a position to know, has given his service to this province, and the university presidents, have indicated that in fact the figure of 16 plus per cent is an artificial one and that the real figure for the universities is slightly over seven per cent, which is comfortably under the rate of inflation, what alternatives do the universities have other than the clearly undesirable one, I agree with the Premier entirely, of changing the admission standards? What is the government going to give them?

Hon. Mr. Davis: Mr. Speaker, I am sure the hon. member is sufficiently knowledgeable in the functioning of our post-secondary institutions to realize that he is dealing with total numbers or enrolments. The enrolments this year are up, for instance, which means the incomes of the institutions are somewhat up. Faculty has remained constant during this particular year, I don't know what the ultimate figures would be but I think we are really talking about further possible administrative alterations.

No one is talking about reduction in quality. I reject that categorically. I think we all have to be satisfied that there are ways and means within the contraints of achieving the same objective. I think in fairness the universities have made substantial progress. Perhaps there are some further things that they might do internally. I don't know.

Mr. Lewis: The Premier has no suggestions?

Hon. Mr. Davis: No, we have never dictated to the universities. The hon. member knows this. We try to provide a little guidance.

Mr. R. F. Nixon: No, the government just puts a noose around their necks and lets them pull it tight themselves.

Hon. Mr. Davis: I would just say to the Leader of the Opposition he can talk about a noose around their necks, but the post-secondary institutions in this jurisdiction have been well served. They have been financed by this province, I think, in a relatively credible manner.

Mr. R. F. Nixon: That is right. They had, in effect, a period when there was absolutely no limit to the money they could spend when the Premier was the minister.

Mr. Speaker: Order, please.

Hon. Mr. Davis: We are going to continue to do it but we are going to do it responsibly. We are not going to go around this province promising individual groups more money in hope of political support.

Mr. Lewis: Say, that sounds like an approach.

Hon. Mr. Davis: That is right.

Mr. Speaker: Any further questions?

Mr. Lewis: Well it worked in 1971. Will it work in 1975? That is the big question, isn't it?

Mr. Speaker: Order please.

Hon. Mr. Davis: Well one never knows.

Mr. MacDonald: Ask Wacky Bennett. He can tell the Premier how it works.

Mr. Speaker: Does the Leader of the Opposition have further questions?

EXPORT GROWTH

Mr. R. F. Nixon: I would like to ask a question of the Minister of Industry and Tourism. Did he see the report in the Financial Post recently, which was a survey of the expansion of export growth, province by province and across the nation? It predicted a 25 per cent increase in growth for the nation, but it indicated that Ontario, at a level of three per cent, would have the lowest growth of any province as far as its exports are concerned. How can we square that with the very expensive trips and procedures the minister has undertaken over the last year and longer since he became minister? In fact are his efforts counter-productive?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, yes I had a chance to read the report in the Financial Post. Very obviously, one of the problems we are

faced with in this country at the moment involves exports of the automotive industry. One reason Ontario is suffering somewhat in its export position in the current year, and likely to be projected into 1975, is the soft market we are experiencing in automotive original parts shipments to the United States. That is the explanation for the low growth position we are experiencing in export trade.

Mr. R. F. Nixon: A supplementary: Since we have many industries and the minister has been very proud of the fact that he has taken leaders of these industries to many places in the world, even with the problems in the automotive industry, why would our growth be cut down to three per cent compared with the much more respectable growth figures for the other provinces? Surely it can't be a product of one area.

Hon. Mr. Bennett: Mr. Speaker, first of all the automotive industry is likely responsible for the greatest percentage of dollar shipments out of this country. Ninety per cent of them come from the Province of Ontario. When a soft market is experienced there it will reflect to a greater extent in the export position of Ontario than in any other province. While our markets in various other parts of the country and the world have improved and we have shipped new commodities to the foreign markets, it is not sufficient by any stretch of the imagination to offset the softness we are experiencing in the automotive original parts manufacturing business.

Mr. Speaker: Any further questions?

Mr. Lewis: So renegotiate the pact.

Hon. Mr. Bennett: That is a federal responsibility and we are involved in it now.

Mr. Speaker: The member for Scarborough West with his questions.

STUDIES ON DEATHS IN URANIUM MINES

Mr. Lewis: May I ask the Minister of Natural Resources if he has by chance found the internal interdepartmental committee on occupational health he indicated he would look for and give us the names on if he could find it?

Hon. L. Bernier (Minister of Natural Resources): No, Mr. Speaker. I think I said at that time that I would consider tabling it, and I am still considering it.

Mr. Lewis: He is still considering it. Is this a secret matter?

Hon. Mr. Bernier: In fact, Mr. Speaker, I am aware the hon. member has a list of all those names.

Mr. Lewis: Then the minister concedes, finally, that it is a standing committee of the Ontario Mining Association and has nothing to do with the ministries of government?

Hon. Mr. Bernier: That is correct.

Mr. Lewis: Exactly. Okay, I just wanted to get it on the record.

Mr. Speaker: Any further questions?

HEALTH AND SAFETY STANDARDS IN ONTARIO MINES

Mr. Lewis: Now may I also ask the minister why, on the royal commission on the health and safety of workers in mines, he has two major industry representatives and only one representative of the workers involved?

Hon. Mr. Bernier: Mr. Speaker, this is not entirely correct. I think the member is referring to the appointment of Mr. Ted Perry, a former member of the Ontario Mining Association. We contacted the industry, we wanted somebody with a technical background and he was selected or recommended by the industry itself.

Mr. Lewis: Well may I, by way of supplementary, ask the minister if he recalls that when we were debating the bill to amend the Mining Act in the Legislature, Mr. Perry was perhaps the most vociferous, not to say objectionable, defender of the mining industry? Doesn't the minister think that when he is setting up a commission looking into safety hazards of this kind there is some equity, some importance, in having an equal number of worker representatives rather than stacking a royal commission? Surely that doesn't make sense?

Mr. Stokes: Just for objectivity.

Hon. Mr. Bernier: Mr. Speaker, there was no stacking of that royal commission. Mr. Perry is only a consultant to the royal commission. Prof. Ham is the commissioner and he will make the decisions. His consultants are there to advise the commissioner himself and there is definitely no stacking. In fact,

Mr. Perry has contributed tremendously to the mining industry of this province in his capacity through the years, and I think he can add a lot of valuable assistance to that commission.

Mr. Lewis: What does the minister mean by saying he is a consultant? He is one of several people on the commission.

Hon. Mr. Bernier: He is not.

Mr. R. F. Nixon: Is he or is he not?

Mr. Lewis: May I ask another question? The commission consists of Ham, Grey, Beaudry, Righam, Perry, Hume and Gladstone. Am I not right in saying that Ham is the commissioner and that the people who have been hired or appointed to work with him include Perry?

Hon. Mr. Bernier: That's right, but Prof. Ham is the commissioner. It will be his report and his report alone.

Mr. Lewis: Oh, I see.

LOGGING IN ALGONQUIN PARK

Mr. Lewis: May I ask the minister, in light of the fact that in all of the studies in Ontario of the pulp and paper industry—the Kennedy report, the Brodie report, the Ontario Economic Council report, the Hedlin-Menzies report—and all the estimates debates for the last several years, the word "available cut" as distinct from "allowable cut" has never once been used, how is it that it has suddenly entered the vocabulary of the woods industry in this special document written to defend the government's policies by Mr. Pierpoint, and which therefore raises a matter which is clearly specious and irrelevant and no longer justifies ministry policy?

Mr. E. J. Bounsall (Windsor West): What comes after "available"?

Hon. Mr. Bernier: Mr. Speaker, I can't speak for the professionals in the forest industry, but I only say to the member that Mr. Pierpoint was given the responsibility of looking at the whole thing objectively to point out, maybe in laymen's language, what the problem is and how it could be interpreted.

Mr. Speaker: Any further questions?

FOOD COMPANY PROFITABILITY

Mr. Lewis: A question of the Minister of Consumer and Commercial Relations.

Is the minister aware that the percentage increase in profit for Dominion Stores in his second food profitability study was 36.4 per cent from 1973 to 1974, and in the first 26 weeks of the new fiscal year it has jumped to 51.5 per cent, therefore exceeding the acceptable level of profitability which he himself conceded when he tabled the report? What does he now intend to do about it?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Yes Mr. Speaker, I am aware of that. As with the other industries which have been touched on by the leader of the New Democratic Party, I am writing to Dominion Stores to ascertain if I can get a breakdown as to how the increased profits in the 26-week period referred to were reached.

Mr. Lewis: By way of supplementary, what is the use of having a food profitability study on which the minister makes a specific pronouncement in his official capacity and then see all of these companies systematically exceed the allowable profits—not the allowable but what the minister deemed appropriate?

Mr. J. R. Breithaupt (Kitchener): Not allowable, available.

Mr. Lewis: Available! Then no one, again, protects the consumers of Ontario. The minister makes the pronouncement, they thumb their nose at him and nothing happens.

Hon. Mr. Clement: Mr. Speaker, I think it is always a good idea to not only talk about percentage increase but to find out how that increase occurred.

Mr. Lewis: Well, the ministry did that in its food study.

Hon. Mr. Clement: Yes, but we are talking about a period now, or part of a fiscal period, that wasn't referred to in the food study. We are now talking about 26 weeks in the 1974 period, and I think it is only fair to anyone that we find out not only what the percentage increase is—I mean, one could have $1 profit increased to $2 and say there is 100 per cent profit for the second period. We have to see for what reason those profits arose.

Mr. MacDonald: They're going to con the government.

Hon. Mr. Clement: They may be perfectly valid. We had a discussion the other day, Mr. Speaker, about Maple Leaf Mills.

Mr. Lewis: The Minister of Energy (Mr. McKeough) said it relates to prices.

Hon. Mr. Clement: Maple Leaf Mills, as I understand it, received some $8 million for the sale of capital assets in that fiscal period. That, I suggest, is not reflective of increased food prices insofar as that particular organization is concerned.

Mr. MacDonald: They will always dream up an excuse if the government is willing to accept it.

Mr. Speaker: Are there any further questions?

AID FOR SMALL COMMUNITIES

Mr. Lewis: I have a last question of the Minister of Tourism and Industry. Is there something that might be done to help the beleaguered communities of Alfred, Plantagenet and L'Orignal, now that Highway 417 has run through and there are inadequate signs pointing to the small communities off Highway 417? The restaurant business has dropped very severely; many small shopkeepers have lost business. In light of this, is there something that can be done to balance the economy for some of these small towns?

Hon. Mr. Bennett: Mr. Speaker, anticipating there could be a loss of trade to some of the small businesses along the old highway system, we undertook a study with a consulting firm to ascertain how we might put old Highway 17 into a parkway system so that we could divert the tourist traffic along that system and take it off the commercial route.

We now have the first phase of the report. I've indicated clearly to the members of the municipal councils along that particular route that we are prepared to sit down and discuss it with them. There will be further requirements for some input as to exactly what type of operations, as recommended by the consultant, we could really put into play that would have significant benefit to the economic structure of some of the communities that have been weakened as a result of diversion of the traffic.

Mr. Stokes: Why doesn't the minister put a series of bump signs on the new highway?

Hon. Mr. Bennett: Along which?

Mr. Stokes: Put a series of bump signs along the new highway.

Mr. Speaker: The Minister of Housing has an answer to a question previously asked.

CONDOMINIUM APARTMENTS

Hon. D. R. Irvine (Minister of Housing): Yes, Mr. Speaker: On Oct. 28, the Leader of the Opposition asked me a question related to condominium conversions. I would like to report to the House that since the spring of this year, when the applications for the conversion of existing rental units into condominiums began to increase, we have given final approval to 1,285 units. Of these, 654 were in Metro Toronto.

To put these figures in some perspective, these conversions represent less than one per cent of the total apartment stock in Metro. Although the number of conversions have been relatively small to date, there have been an increasing number of applications in the past few months; and especially in the Metro Toronto area. I will give details of the number of applications which we have.

We have reviewed our policy in this area of conversions. I received input from the public. I have met with representatives of a number of municipalities, with organizations which represent landowners, the builders, the developers and people in general who are concerned about condominium conversions. We have fully assessed the views of all these groups.

We have concluded that local municipalities are in the best position to properly assess the factors which must be weighed to determine whether or not a particular project should be converted. With this in mind, we have decided to continue our policy of accepting recommendations from municipalities in which the projects are located.

However, considering the economic and social impact that extensive conversions can have on people in the community, we are urging the municipalities to consider several factors before they arrive at a decision. These include the rental vacancy rate in the community and the effect that a conversion might have on those living in the units, particularly where low and moderate income families are involved. We are following the guidelines that are applied pursuant to section 33 of the Planning Act.

As to the number of actual applications for conversions in Metro Toronto, they are:

City of Toronto, 167; East York, 12; Etobicoke, 55; North York, 907; Scarborough, 1,280; York, zero. The total in Metro is 2,421.

For the rest of the province we have Burlington, 55; Hamilton, 13; Halton Hills, 12; London, 483; Mississauga, 580; Oakville, 116; Ottawa, 164; Nepean, 27; North Bay, 37; St. Catharines, 215; Thunder Bay, 136. The total for the rest of the province is 1,838. This gives a grand total of 4,259.

By the month, we have given final approval of conversions for all of Ontario, as follows: in April, 164; May, 66; June, 83; July, 163; August, 106; September, 348; October, 355; November, zero; for a total of 1,285.

Conversions to adult only or reduced density: North York, 1,810 units.

Mr. Speaker, I believe I have answered the question as fully as I can at this time.

Mr. R. F. Nixon: A supplementary.

Mr. Speaker: Supplementary.

Mr. R. F. Nixon: I appreciate that information, Mr. Speaker, but I would like to know if the ministry is entertaining any further applications for conversion at this time.

Hon. Mr. Irvine: Yes, I am.

Mr. R. F. Nixon: For conversion to condominium and conversion to adult only.

Hon. Mr. Irvine: On the recommendation of the municipality is what I said.

Mr. Speaker: I will allow one more supplementary.

Mr. F. Young (Yorkview): In light of the minister's statement, I wonder if he will accept and support the bill that my leader has introduced into the House.

Mr. Speaker: That doesn't seem to be very supplementary. The member for Welland South.

GAS COMPANY RENTAL CHARGES

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker, I would like to direct a question to the Minister of Consumer and Commercial Relations.

What steps, if any, has his ministry taken to protect the many consumers in Ontario who have had contracts with Consumers' Gas, Provincial Gas, Grimsby Gas and Brockville Gas, who now are faced with substantial increases in rental rates for hot water tanks and conversion burners? Is his ministry now prepared to initiate an inquiry into breach of contract or monopoly by the industry, and are there any violations that may be enforced under the federal Combines Investigation Act?

Hon. Mr. Clement: Mr. Speaker, I believe this question is somewhat similar to one submitted by the member for Yorkview some days ago. We have written to Consumers' Gas in connection with the matter drawn to my attention. We have received an explanation from Consumers' Gas. As of today I don't recollect sending that on to the member for Yorkview in response to his inquiry.

Consumers' Gas, from whom we received the response, advised that the $1 charge on the purchase of a water heater at the end of the usual 10-year period was never part of the contract. I must add I have not looked at any of the contracts, so I am only passing on what I was told.

We were further advised that it was company policy only that in view of the escalating costs which have touched that company, it is now necessary to take a realistic view on the replacement of that heater insofar as price is concerned, and that the realistic price is $50.

I want to make it clear to the members of the House, Mr. Speaker, that I have not read the contracts and I haven't looked at them. I am only passing on what was told to me. In any event, I intend to look at the contracts with my law officers to see if in fact that allegation is correct. I assume it is, but I want to verify that.

I cannot pass any legislation retroactively voiding those contracts that people have entered into across the province. I will not make any further comment as to what I might do in the future. Perhaps matters like this should be included in the contract, if they are not, on the basis of disclosure; but I am keeping an open mind on that and will consider it in due course.

Mr. Young: A supplementary.

Mr. Speaker: One supplementary.

Mr. Young: Mr. Speaker, does the minister not clearly understand in this situation that while the $1 payment at the end of 10 years may not have been written into the contract, this was understood as a matter of fact and the salesmen made it explicit to the people who purchased? Also, at that time the rental price was based upon the paying

off of that cost over the 10-year period. Therefore, before the 10-year period is up, the price is fully paid?

Mr. Speaker: It seems to me the member is debating the issue. Would you place your question, please?

Mr. Young: The question is, does the minister not understand that the price of the burner, rather than the price of the heater was completely written off in the original rental charged by the company?

Hon. Mr. Clement: Yes, that was my understanding, Mr. Speaker; of course it was.

Mr. Speaker: The member for High Park.

SEAFARERS' INTERNATIONAL UNION

Mr. Shulman: I have a question of the Attorney General, Mr. Speaker: In view of the statement by Labour Minister John Munro that it is up to Ontario to hold the commission, if one is to be held, what is the Attorney General going to do?

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, the House will recall that yesterday there was a question directed to my cabinet colleague, the Solicitor General (Mr. Kerr), on this particular subject matter. He reported with respect to police investigations currently under way in that particular area.

I would want to give the federal Minister of Labour the benefit of the doubt at this stage. Perhaps he hasn't fully appreciated the point made by the Solicitor General yesterday. In the absence of the Solicitor General, perhaps we could leave it today at this, that I will get in touch with him.

The point I am really trying to make is that I have not personally talked to the federal Minister of Labour. I would remind the hon. member that the federal Minister of Labour, twice on a newscast that I've listened to, has asked the member for High Park to provide him with the information which he has, and the member for High Park may want to comply with that request. After I have consulted with the Solicitor General, I would be in a better position to comment as to what our next step might be.

I would remind the federal Minister of Labour in this way that I know what my responsibilities are. I assume that I understand the concern of the hon. member, that there are matters that go beyond just strictly laying charges with respect to particular violations under the Criminal Code, that are rather in the nature of behaviour which perhaps might be the subject of an investigation by a department which really has jurisdiction over the union because it's a federal union. I understand that point. But I must say, in fairness to the federal minister, I have not spoken to him, personally, on that matter.

Mr. Shulman: A supplementary, if I may, Mr. Speaker: Inasmuch as I have given all the information to the Attorney General, has he not passed it on to the federal minister? I thought I should take it to my Attorney General. Second, if the federal minister remains adamant and will not hold an inquiry, is the Attorney General prepared to do something?

Hon. Mr. Welch: Mr. Speaker, any information or any evidence which the hon. member has passed on to me was given to the Solicitor General. I will be in a much better position to comment as to what I might do after I have formally spoken to the federal Minister of Labour myself.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. Lewis: What was that cryptic reference that the federal Minister of Labour doesn't understand?

Hon. Mr. Welch: I am just giving him the benefit of the doubt.

Mr. Lewis: The benefit of the doubt to John Munro!

Mr. Speaker: Order please. The member for Windsor-Walkerville.

SUPPORT OF POLLUTION SUITS

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of the Environment: a Newman-to-Newman question. Is the minister aware that a group of citizens in Sandwich West and LaSalle have started suit against the polluters in the Detroit area for polluting the Canadian environment? And is the minister aware that the Michigan State Supreme Court has ruled that the hearing can be held in the lower courts? Will the minister provide the technical data and expertise from his ministry and also financial assistance to enable those residents in Sandwich West and LaSalle to continue with that suit?

Hon. W. Newman: Mr. Speaker, I am aware of the trans-boundary problems we

have had. I would like to say this, that we do not have any financial assistance available, but certainly we have technical people who are glad to advise anyone in the Province of Ontario on any matters. We would be glad to have the member's people talk to our people about the technical ramifications.

We also have a trans-boundary air pollution control accord, basically with Michigan, ourselves. This has to be ratified. The Premier has sent a letter off to our counterparts in Ottawa asking them to negotiate this matter with the federal agency in the US on work to be done by the IJC on trans-boundary air pollution. We have basically reached agreement with Governor Milliken and we are very pleased that we have had such great co-operation from him on these particular areas where trans-boundary air pollution is a problem.

Certainly, as far as the member's people are concerned, we will give them any technical assistance we can give them. We don't send our people everywhere. If they do go to court, there might be some international legal ramifications which I wouldn't be prepared to expound on just now. For any technical assistance they would want, if they would contact our people we would be glad to give it to them.

Mr. Speaker: Any further questions? The member for Thunder Bay.

TOURIST LOAN ANNOUNCEMENTS

Mr. Stokes: Yes, I have a question of the Minister of Industry and Tourism. Can we assume that his ministry, and he as the Minister of Industry and Tourism, have undertaken a new policy when, jointly with the sitting member in a particular riding, he announces tourist loans such as the recent one that was announced jointly by the minister and the sitting member for Timiskaming (Mr. Havrot).

Hon. Mr. Bennett: Did I understand the member's question correctly in that he wanted to know if the policy of ODC, NODC and EODC is to announce jointly with the minister and the sitting member a loan going into their constituency?

Mr. Stokes: Yes.

Hon. Mr. Bennett: That has been the policy, and it will continue as far as I am concerned.

Mr. Stokes: How does the minister rationalize his answer with a bulletin that came in the mail this morning indicating that the Minister of Industry and Tourism and the member for Timiskaming had jointly announced the granting of a $140,000 tourist loan to a firm in Cobalt? Can I assume from the minister's answer that the next time there is a tourist loan, or any loan under the aegis of NODC, ODC and EODC, the announcement will be made jointly with the sitting member and the minister?

Hon. Mr. Bennett: Mr. Speaker, first of all, let us correct the remark. It was not a tourist loan that was made to the community of Cobalt. It was a grant from the Ministry of Treasury, Economics and Intergovernmental Affairs under the northeastern Ontario development programme, which was allocated to my ministry for assignment. It is to assist Cobalt in implementing to completion the first phase of their tourist and development programme that we have started and the community has started in that area. It was announced by the member for Timiskaming and myself at the cabinet meeting in Kirkland Lake. The member for Timiskaming made it on behalf of the ministry.

As far as the individual members are concerned, when EODC or NODC or ODC loans are made, the members are advised. The press release goes from the development corporation on behalf of the minister and the member.

Mr. Stokes: How then is it possible that when I receive notification of a loan in my riding, the media invariably gets it before I do?

Hon. Mr. Bennett: I just said, Mr. Speaker, that the press release is on behalf of the minister and released by ODC at the time the order in council is given authority and approval.

Mr. MacDonald: This also excludes the local member. They are playing games.

Mr. Speaker: Any further questions? The member for Huron-Bruce.

SUGAR SUPPLIES

Mr. M. Gaunt (Huron-Bruce): I have a question of the Minister of Consumer and Commercial Relations. Has the minister, in concert with the federal authorities, asked for any figures with respect to the stored supplies held by sugar companies in this province?

Hon. Mr. Clement: No, I have not asked for any such figures in concert with anyone, Mr. Speaker. Some months ago I did have a discussion, an informal discussion, with two or three people from the sugar industry, who indicated to me at that time their concern about what they saw happening and what they forecast happening insofar as the sugar market is concerned over the next six or eight months. I must add my observation that their forecasts, unfortunately, have come true. But I have had no discussions with my counterpart in Ottawa in connection with this particular commodity.

Mr. B. Newman: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. B. Newman: Is the minister monitoring the price rise of sugar in municipalities throughout the Province of Ontario? Sugar has gone up to 76 cents a pound.

Mr. Speaker: Question.

Mr. B. Newman: Certainly that deserves some type of review and study?

Hon. Mr. Clement: Mr. Speaker, I think it's not only gone up at what undoubtedly is a most prohibitive rate in this province, but also across the world. The Russians announced the other day an international order of 500,000 tons for its purposes, and that too is going to create problems. I have under way at the present time, having started it in May, a study into certain commodities in this province insofar as the sale of commodities and futures are concerned. But I have not initiated any investigation into the alleged sugar shortage. It is international in scope.

Mr. Gaunt: Supplementary, Mr. Speaker: In view of the prediction that sugar prices will go to $1 a pound, beyond the commodity study which the minister is going to undertake what is he going to do to satisfy himself that there is no price gouging in this particular industry?

Hon. Mr. Clement: Mr. Speaker, I can't satisfy myself there is no price gouging. Just as a member of the community reading the articles pertaining to sugar in the various publications, I cannot stand in this House and say there is no price gouging. I am convinced there is price gouging at some point. Where that point is, I don't know.

Mr. Stokes: So is John Diefenbaker.

Mr. Lewis: Well, find out.

Hon. Mr. Clement: But I read an article the other day, and perhaps the hon. member read it, which indicated that certain Middle East countries had invested enormous sums of money in sugar as a speculative commodity.

Hon. Mr. Grossman: They are going to mix it with oil.

Mr. Speaker: The member for Sandwich-Riverside.

USE OF WOOD FOUNDATIONS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Housing:

In view of the numerous complaints about leaky basements, with walls of poured concrete and cement blocks, and in view of the energy crisis, is OHC considering in future projects the installation of preserved wood foundations, which are claimed to be leakproof and more economical for heating?

Hon. Mr. Irvine: Mr. Speaker, they may be considering this. I am not sure. I'll find out for the member.

Mr. Speaker: Any further questions from the Leader of the Opposition?

LAND ASSEMBLY IN HALDIMAND-NORFOLK

Mr. R. F. Nixon: I have a question of the Minister of Housing as well.

Has he any knowledge of a land assembly programme which is rumoured to be under the auspices of the government of Ontario in the former Haldimand area of Haldimand-Norfolk, near Cayuga, where approximately 12,000 acres have been optioned, and it is indicated this was at the behest of the government of Ontario?

Hon. Mr. Irvine: Mr. Speaker, I think this question should be directed to the Treasurer (Mr. White) when he comes back.

Mr. Speaker: The member for Scarborough West.

HCM GRAPHICS CORP.

Mr. Lewis: A question, if I may, of the Minister of Labour:

What is he going to do about the case of HCM Graphics Corp., which went into re-

ceivership more than a year ago and by which the back wages, and even the vacation pay owing to the workers has not yet been paid?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, HCM Graphics is a new matter to me, and I suppose the fact that it has been in receivership, for over a year explains it. I have no report on it, Mr. Speaker, but I will get one. I assume we have one available.

Mr. Lewis: By way of supplementary, I have a letter here, dated Oct. 29, 1974, to the minister—and I know there were previous ones—from the typographical union involved. When he looks into it, since vacation pay is supposed to be held in trust by a company, and since the Mercantile Bank took the company over and took money out, could he answer and explain why, again, these workers have been sacrificed, to the banks in this instance, when some of the money should have been held in trust?

Hon. Mr. MacBeth: Mr. Speaker, my understanding is that it is trust money, and unless there is a shortage of the trust accounts I don't think they would be sacrificed.

Mr. Lewis: Then why don't they have it?

Hon. Mr. MacBeth: I don't know that, Mr. Speaker. I will get that information for the hon. member.

Mr. Speaker: The Leader of the Opposition.

LABOUR DISPUTES TRIBUNAL

Mr. R. F. Nixon: I would like to ask the Minister of Labour if he could give any further information to the House on a report that appeared in the Toronto Sun Thurs., Nov. 21, in which he is reported as predicting a special tribunal with sweeping powers to control strikes, which may in fact become the policy of the government and be introduced by way of legislation?

Hon. Mr. MacBeth. Mr. Speaker, that article was brought to my attention this morning. Apart from the headline, which I don't agree with, the rest of the article is relatively correct.

I discussed this matter with the writer, Mr. MacDonald. He wanted to know what we might be proposing or what we might have in the back of our minds. I said that this was very much in a formative stage in my ministry, that this was an alternative which is not new, but one that we were considering as a possibility, with the hopes that some changes to the Labour Relations Act might be brought in in the spring session.

It refers to a complete revision of the Ontario Labour Relations Act in the article. I don't foresee any sweeping changes to that extent, but we are investigating whether or not we can set up some tribunal which may have disputes in the public sector referred to it as a way of perhaps bringing the facts to public attention and as a further buffer between the time they actually break off their negotiations and when the strike itself might start.

Mr. R. F. Nixon: Supplementary: In preparation for the possibility of such legislation, is the minister meeting with representatives from those groups that would be directly affected, such as the teachers, the civil servants and others? And is he aware that, under the leadership of OSSTF, I think, a similar work group, on behalf of the people directly affected, is working toward some sort of model legislation or proposal that might be available? Is this being done by the government alone or in conjunction with the groups to be affected?

Hon. Mr. MacBeth: I would hope that we would do that, Mr. Speaker, but it hasn't been done in any formal way to this date. Before that happens, I would hope that such a body could get general acceptance, and I realize that if it is going to get general acceptance and if we do go ahead with it, we will have to have consultation with those groups. I am glad to know, from what the member says, that the teachers proceeded on something along similar lines.

Mr. Speaker: Any further questions?

The member for Thunder Bay.

TRANSCAN CUSTOM HOMES RECEIVERSHIP

Mr. Stokes: I have a question of the Minister of Labour. While the minister is looking into the problem raised by my leader, will the minister also look into the problem confronting former employees of Transcan Custom Homes, which went into receivership in Kenora, where the employees were not paid in the amount of $30,000 in lost wages? Will the minister also investigate with his colleagues to see whether there was a loss of OHC money associated with that, inasmuch as they were under contract to the

Ontario Housing Corp. for some double-wide dwellings? Will he look into it to see whether any or all of that $30,000 in lost wages may be recovered in some fashion on behalf of the employees?

Hon. Mr. MacBeth: I will be pleased to do so, Mr. Speaker. Can the hon. member give me the date of the Transcan Custom Homes receivership?

Mr. Stokes: I will try to.

Mr. Speaker: The member for Kitchener.

WASAGA BEACH ZOOLOGICAL PARK

Mr. Breithaupt: Mr. Speaker, a question of the Provincial Secretary for Resources Development.

I am wondering if the minister has anything further to report to the House with respect to the matters of the Wasaga zoo; and whether there has been any reconsideration made with respect to funding in light of the earlier meetings that were held and the involvement which the minister had at the cabinet meeting when it was held at Hanover?

Hon. Mr. Grossman: Mr. Speaker, the answer is no.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Mr. J. A. Taylor, from the standing administration of justice committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill without amendment:

Bill 82, An Act to amend the Corporations Tax Act, 1972.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Mr. Speaker: Motions.

Introduction of bills.

Before the orders of the day, perhaps I might be allowed to introduce a group of young people from Castelton Public School in the great county of Northumberland who joined us in the last few minutes under the leadership of Mr. William Patt, their principal. I know the House would be anxious to welcome them to our Legislature.

Mr. Lewis: On a point of order, if I may, before the orders of the day, Mr. Speaker: I take it that you have amicably allowed the Union of Injured Workers group to demonstrate peaceably inside the foyer for a short period each day that they should arrive, rather than putting limits on them. Am I right in that; because there was some confusion with, I think, Insp. Pierce of the security service yesterday?

Mr. Speaker: I have cleared that up. I had a very peaceful and pleasant discussion with four representatives of the group yesterday, and in view of their condition and the fact they are respecting the place they are parading in, we gave them permission. This is always a problem, of course—not that this is a problem, but I can see that a problem could arise because of the relaxation of any rule.

I hope this is not taken as a precedent necessarily, but in view of the representation made by yourself and others, and the very co-operative words of their representatives, I thought I should accede to their requests and I am pleased to do so.

Orders of the day.

Clerk of the House: The third order, House in committee of the whole.

COMMUNITY RECREATION CENTRES ACT

House in committee on Bill 137, the Community Recreation Centres Act, 1974.

Mr. Chairman: Is there any member who would like to speak on section 1?

On section 1?

Mr. J. E. Stokes (Thunder Bay). Mr. Chairman, I must apologize for my absence last night at 8 o'clock. All the northern affairs officers from the north were in town and we were asked to meet with them, so I absented myself from the debates and I missed the remarks of the minster in answer to some of the things that I had raised. I don't wish to be repetitive but I would like to ask if I could have some clarification on the sections of the Act that were a problem to me.

I am wondering if the minister can give me some assurance under the bill that there will be ample opportunity for the unorgan-

ized communities to form themselves into some legal entity in order to take advantage of the provisions of this Act, and if there is anything in the regulations that you might make available to us to assure us that the monetary provisions aren't exclusively those that are referred to in the bill, which are 25 per cent, up to a maximum of $75,000. That is the main question I would like to have asked.

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Chairman, in my reply last night I commended the hon. member for Thunder Bay because he made some very good points. In reference to unorganized areas and non-profit organizations, if there is a social club or service club like the Lions or Kinsmen, fine; if there isn't, three citizens can form a non-profit corporation, and they would be eligible for a grant. So the mechanism is there in this legislation. All they have to do, as we say, is form a non-profit organization for educational, recreational or cultural purposes. So there is provision there.

As far as the funding in unorganized areas is concerned, first I would like to mention, Mr. Chairman, that the member raises a very good point. Many unorganized—and many organized—areas which have a low assessment base find it very difficult to raise the 75 per cent themselves. It is a very good point. As far as unorganized areas are concerned, in section 9(a) the minister has discretion to give increased grants to Indian bands, and section 9(b) applies again to an approved corporation in an unorganized area. So there is provision in 9(a) and (b).

For those organized areas which have difficulty, there are a couple of things that I mentioned last night. One is that there is provision now—and this is being done—that a group of citizens can donate its labour and funds, and credit is all given for all this in the calculation of the grant. Through regulations we will try to see if we cannot devise a system whereby it would be possible to give increased grants to those organized municipalities which, as I said earlier, need additional assistance.

There is provision in the regulations to do this. We may be able to do this by using population and maybe assessment. Those are the two that come to my mind. We need some sort of a system. I think the member will appreciate that, and we would appreciate any suggestions that the hon. members may have now or at some future date as to how a system could be devised whereby we could provide assistance through using some sort of a formula. The legislation is intended to be flexible and to be broad to try to cope with local situations.

Mr. Chairman: Maybe we should leave this so we can discuss the bill in an orderly manner. We can discuss it when we come to section 9 and hook it to 9(a) or 9(b). Any other member on section 1? Does section 1 carry?

Mr. J. P. Spence (Kent): Mr. Chairman, last night I think a question was asked of the minister in regard to agricultural societies and community recreation groups building a centre. Is there any change in the grants under the new bill?

Mr. Chairman: Maybe we should leave this until that part of the bill

Mr. Spence: Right.

Section 1 agreed to.

On section 2:

Mr. B. Newman (Windsor-Walkerville): Mr. Chairman, if I might, in section 2 there is an item under subsection 5 and that is the right to sell refreshments within the community centre on such terms and conditions as the council may prescribe. I know that this is the responsibility of the council but I think a strong recommendation should go from this minister that the prices be reasonable, so that it isn't a financial hardship to the single-parent family or the parents with a large family when it comes to purchasing hot dogs and refreshments that are available. These prices should be very moderate. Also we want the places as clean as possible so that we don't have some of the Highway 401 service centre problems.

Hon. Mr. Brunelle: That's a very constructive comment, Mr. Chairman. We certainly will.

Mr. Stokes: I raised that last night when we were dealing with the bill on second reading. I asked if the minister would take into consideration tendering these things, rather than creating the impression that the person who was successful in getting the concession would be a friend of a friend or something like that. Did you respond to that?

Hon. Mr. Brunelle: On the question of tendering, Mr. Chairman, there is tendering for capital and tendering for the catering. In many instances, the municipalities are paying 75 per cent on the capital costs; so we be-

lieve this should be left to the discretion of the local municipalities. I'm most reluctant that we should be dictating to the local municipality or the school board, whatever the case may be, that they should tender in every case. Generally speaking, I think it advisable in order to get the best price possible but I would prefer to leave it to their discretion.

Sections 2 and 3 agreed to.

On section 4:

Mr. Chairman: The member for Thunder Bay.

Mr. Stokes: On joint use for community recreation centres, does this mean a council of a municipality could enter into an agreement with a neighbouring band council in unorganized communities and that it might be able to call on funds from the Indian band through the federal Department of Indian Affairs and Northern Development? Does this provide for this kind of co-operation?

Hon. Mr. Brunelle: Yes, this legislation, Mr. Chairman, is very flexible. It provides for agreements between a municipality and a school board or between a municipality and another non-profit group in an unorganized area. There is an entire flexibility in order to look after local conditions.

Mr. Spence: Mr. Chairman, I think this is the section that deals with agricultural societies entering into agreements which will now be with municipal councils. Before that, agricultural societies did give grants, as I understood it. Is there any change in this bill from the former bill?

Hon. Mr. Brunelle: Not to my knowledge, Mr. Chairman. The only change which we made is with school boards in organized municipalities. We said that in the future those school boards in organized municipalities who wish to put on an addition and so forth, will still be able to do so. We are dealing mainly with municipalities in organized areas. The municipality under the present Act could make an agreement with the agricultural society—this is permitted—but grants are given to the municipalties; they are the responsible bodies.

Mr. Chairman: Section 4 carried?

Mr. Stokes: In the event that we had a small group that was able to comply with the provisions of this Act, in unorganized areas, and there was a building, say a school that had been closed out by the board of education in that area, would it be possible for them to come to you under the provisions of this Act and say: "Will you assist us in the acquisition of this facility and assist us, not only in the capital cost, but enter into some agreement for the maintenance and the upkeep of that facility?"

Hon. Mr. Brunelle: Mr. Chairman, we certainly are entirely in agreement as far as utilizing existing buildings, schools, and so forth is concerned. There is provision under this Act for capital assistance, but when it comes to maintenance operations, this would come under another Act; the Ministry of Community and Social Services Act.

Sections 4 and 5 agreed to.

On section 6:

Mr. Chairman: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Chairman, I would like some clarification with respect to section 6. In order to qualify for the $75,000 maximum ceiling grant, a municipality would have to spend $300,000. Let us take the instance of three municipalities joining together and building a complex of $900,000, each contributing $300,000. Is each municipality eligible for the $75,000 grant under those circumstances

Hon. Mr. Brunelle: Yes, if I understand correctly in that situation. If there are three of them contributing $300,000 each for a $900,000 facility, each municipality would be eligible for either 25 per cent or $75,000, whichever is the lesser.

Mr. R. F. Nixon (Leader of the Opposition): A question on that section also, Mr. Chairman: There are a lot of communities that now have a community centre. What is the regular view of the branch when the community asks for a second centre? A good many of them, particularly for hockey facilities, are planning a second and third one. What is the general reaction to that?

Hon. Mr. Brunelle: Again, Mr. Chairman, we try to respond to the wishes of the local municipality. But if it is felt that they have sufficient recreational facilities—and we have to operate under a limited budget—it may well be that we may say: "Well, sorry, but not this year." But generally speaking, we do provide grants for more than one facility in the community.

Mr. R. F. Nixon: Along that line of limited budget, there was announcement made last

week of a substantial grant, I think for a swimming pool centre in Brantford it was $225,000 to $275,000, and that came from the sum that Ontario shared in the Olympic lottery. Who distributes that money?

Hon. Mr. Brunelle: My understanding, Mr. Chairman, is that most of the Olympic lottery funds are given to Sports Ontario. This is a body composed of about 57 sports groups in Ontario—tennis, swimming, what have you—and they are the ones who have the discretion to allocate.

Mr. Stokes: Directly to the sports governing bodies?

Hon. Mr. Brunelle: I could be corrected on the allocation of the grant. I am advised that this grant went to the city because it was for sort of an international facility—a 50-metre swimming pool—and for international facilities often there is assistance from the federal government and also the provincial government on a regional "international" basis.

Mr. R. F. Nixon: What about that thing in Bronte? How are you going to pay for that? That's the Jim Snow Swimming Pool, or whatever you call it there?

Hon. Mr. Brunelle: The Bronte sports complex, phase one, is an Olympic-size swimming pool with special facilities for the handicapped—

Mr. Stokes: But that's not under this budget?

Hon. Mr. Brunelle: No.

Mr. Chairman: I think the member for Brant is a little out of order.

Mr. R. F. Nixon: We are talking about limitations of budget in this section.

Hon. Mr. Brunelle: Through the regulations, Mr. Chairman—I think I can interpret it—that is regulation 12(b), the Lieutenant Governor in Council may make regulations prescribing classes of grants and the manner of computing the amounts of such grants or any class thereof payable under this grant. If an international facility to present national and international events is to be built, say an Olympic-size swimming pool, it is possible under the regulations to provide special assistance, such as increased grants, larger than the maximum of $75,000.

Mr. Chairman: Shall section 6 carry?

Mr. B. Newman: On section 6, if a university asked for such a facility as you just made mention of, Mr. Minister, would that come through your department, because it is going to be used by the community, and likewise it is going to be used for international purposes, especially associated with the Pan-American Games, World Games, Olympic Games and also Canada Games?

Hon. Mr. Brunelle: Not under this legislation, Mr. Chairman. But as I indicated earlier, a part of the Olympic lottery funds is used for the funding of international facilities. Also, the federal government works closely with the provincial government. For instance, I believe it was Laurentian University to whom the federal government gave a substantial grant for an international facility.

Section 6 agreed to.

On section 7:

Mr. B. Newman: Mr. Chairman, I wanted to talk on section 7 and bring to the attention of the minister the comments I made on second reading of the bill. That is, when the plans are submitted to your ministry I would like the assurance, Mr. Minister, that those plans will not be approved until the facilities are such that the handicapped would have no difficulty getting in or getting out, and likewise the washrooms would be provided so that the handicapped wouldn't be further handicapped.

Hon. Mr. Brunelle: I would like to commend the hon. member for his very constructive comments. It is quite true that all facilities in the future should be built to accommodate physically handicapped people.

Sections 7 and 8 agreed to.

On section 9:

Mr. Chairman: Did the member for Thunder Bay get all the information he wanted?

Mr. Stokes: I think he has covered most of the apprehensions I had about it. I would just like to get an assurance from the minister that in the application of the provisions of section 9, and in keeping with the regulations, that he will be as generous as possible in order to make the provisions of this Act more relevant to small communities that are isolated, can't co-operate, and can't take advantage of facilities nearby, in many instances —those that are really isolated. You get a place like Pickle Lake, 347 miles from the nearest arena, and there is just no way that they can take advantage in a cost-sharing way, or in a co-operative way, of those facilities. It may be possible under this Act, I hope, for you to be a little bit more generous in those instances than you might otherwise

be. If that is the kind of leeway that you are going to get, fine and dandy.

Hon. Mr. Brunelle: I am entirely in agreement with the views of the hon. member. As he knows, I am a northern member like himself and familiar with remote communities where they need as much assistance as possible. I can tell you we certainly will carry out those recommendations.

Sections 9 to 15, inclusive, agreed to.

Bill 137 reported.

Hon. Mr. Grossman moves that the committee rise and report progress and ask for leave to sit again.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Report agreed to.

LOAN AND TRUST CORPORATIONS ACT

Hon. Mr. Clement moves second reading of Bill 152, An Act to amend the Loan and Trust Corporations Act.

Mr. R. F. Nixon (Leader of the Opposition): Has the minister a statement to make about this? It looks like a collection of a number of things, fairly detailed and specific, having to do with the operation of the loan and trust companies. We've been looking for legislation—my God, aren't there any NDP members here?—on certain areas, brought to our attention, but there has been no communication from the loan and trust companies about this.

Is this generally a housekeeping bill or would the minister feel that he is embarking on new principles in this?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): No, I don't think I could say, Mr. Speaker, that I am really embarking on new principles. The loan and trust industry in this province is at somewhat of a disadvantage. Those are the provincially incorporated companies. As the hon. Leader of the Opposition know, trust companies operate in this province on one of two bases. They are incorporated here and, of course, licensed to do business here; or they are incorporated federally and licensed to do business here, or incorporated in another jurisdiction—there are really three bases — but licensed to do business here.

The federal government introduced last year—and I believed it died on the order paper, but it was stated it would be reintroduced this year—a bill which allowed its trust companies, if I may use that expression, to increase their borrowing capacities. This legislation that I am proposing today is to give Ontario trust companies generally the same type of powers.

The trust companies are restricted right now to borrowing up to a maximum of 20 times the shareholders' net equity. They are running into the situation where the net equity now is X dollars, and the moneys on deposit cannot be put out because the 20 times the net equity has been reached.

It's proposed by this legislation that the trust companies be allowed to attract additional equity funds by subordinate notes, and that in determining the shareholders' net equity the amounts put forward by way of the subordinate notes be considered part of that net equity. This, then, will release additional dollars and make them available for investment by the trust company concerned.

Certain considerations came to our minds as to what we could do. We could do nothing; just sit back and do nothing. And there is no doubt about it that if this happened, it would endanger the financial stability of certain trust companies and place those Ontario-incorporated trust companies at a disadvantage insofar as their competition with their federal brothers is concerned.

We could delay action until the select committee on company law—which is studying trust companies right now—made its recommendations. I can't speak for that committee, but I would expect it would be several months yet before a recommendation came forward. Or we could amend right now. Hence, our election to proceed by amending right now. Certain other amendments, I should point out, are of a housekeeping nature; a couple of printing errors, in fact.

There are other objectives. Right now trust companies can act through their directors in doing certain things. The amendment that we put before the House today would allow the delegation of certain powers from the board of directors to the chief executive officer—things of this nature—which, in effect, are going on right now. But the trust company would remain liable. I am thinking of those matters where they are carrying out

their role as a fiduciary in connection with a will and those types of matters.

I have been advised that the federal bill has, in fact, been reintroduced and has gone through the Senate and is now awaiting royal assent in Ottawa.

Mr. R. F. Nixon: Mr. Speaker, I speak to the minister's statement in this regard. The bill has not been before us very long, although it has been here long enough for moving forward into second reading—and we really can't complain about that.

I regret, however, that my colleague, the member for Downsview (Mr. Singer), who has been a member of the corporation law committee now for how many years—three, four, seven years, perhaps—together with the other members of the committee, has not had the opportunity to delve into all of the background. Some of it is pretty subtle as far as business practice is concerned, not only in this jurisdiction but in many other jurisdictions. They have returned just recently from the United Kingdom where they had an opportunity to consult with world experts in trade and business procedures. I really wish that he and others on that committee would be here to discuss this matter that is brought forward.

I know that an objection was raised when the bill was introduced. As a matter of fact, I think the member for Downsview made an interjection in this regard, that the ministry was moving by legislation in an area which was under consideration by the select committee.

In my view, the justification for the move that the minister has put forward is one that we have got to consider. Certainly we don't want the corporations doing business in this province and under provincial charter to be at a disadvantage. It seems to me that the federal and provincial jurisdictions might well have consulted a little more fully before the legislation at either level came in.

Perhaps the pressure to go forward with this is a little bit less since we realize that the federal legislation has not yet been passed and probably is at about the same status as Bill 152—perhaps it is a bit further along, awaiting royal assent, but it is not law. So the justification for having the changes on the same date, I suppose, or as close to it as possible, is one that makes some sense as far as I am concerned.

I will tell you this, Mr. Speaker: I am not in any position to offer even an opinion as to the ability to borrow or lend money related to the assets of a loan and trust corporation. As far as that figure is concerned, I don't have an opinion whatsoever. We do believe, however, that the trust companies operating in this province should be on the same basis as those operating nationally, and for that reason we are not prepared to oppose this principle at this time.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): There are several points under the legislation, and I don't think it will take long to deal with them.

The point made by the Leader of the Opposition is fairly well taken on the whole. As the minister did last year, he is again this year introducing legislation fairly searching and fairly pervasive of the trust and loan industry, of which the corporate law committee of this Legislature is giving a very thorough review. The matters, both last year and in this legislation, serious matters we are attending to, and in a sense they are being preempted by the passage of legislation.

Can't the minister abide the issue? Our report is certain to be finished in January and to be out early next year. I know the minister is an eager beaver, but there's no necessity for usurping the functions of the committee and launching somewhat blindly into areas of which this committee has cognizance and which it has seized. I ask him to cease and desist. He knows what those kinds of orders are. He is the gentleman who is issuing them left, right and centre in Ontario, and to have one visited upon himself might do his heart good.

I am interested in the MICs. I don't quite understand the legislation in this way: It seems to me that certain MICs are covered within the ambit of this legislation, while there are other MICs and other types of mortgage-lending institutions that are exempted from the legislation. Could the minister straighten me out on that and give me the precise delineations of what is included and what isn't?

As the minister points out, there are certain types of mortgage investment companies. These companies are not permitted to borrow but may obtain loans from banks or issue debentures up to a certain set figure, namely $100,000. I suppose the minister takes them outside the Act and lets them work under the Business Corporations Act because of the fairly onerous restrictions that are imposed upon lending corporations if they are encompassed within the Act, both with respect to the share ratios, with respect to their borrowing powers and with great specificity with

respect to their investment powers. All that is very constricting, as it should be within the basic trust concept as it operates within this Act, although admittedly the loan corporations are not as tied down within the trust idea as are the trust companies proper.

One of the moves made here is to reduce the number of incorporators to five. That's in line with practice. Having set up this single-man corporation, to reduce to five the incorporators of a trust or loan corporation has obvious merit over against the previous 25 that were necessary, which was all done through law offices anyhow and was extremely time-consuming and certainly inexpedient.

What he has done with respect to the delegation of powers is interesting, because—and the committee spent some time on this last spring, as I recall—there have been certain court cases of fairly recent date whereby trust companies, at their top echelon levels, have simply taken the agency law in the matter and said that certain things done by subordinate officials, employees on the staff, did not bind the corporation.

At least it is a moot point as things presently stand. I take it that the minister's amendment here is a deliberate attempt to fix responsibility and not permit the theory of the master-servant relationship; namely, that a servant must act within the ambit of his authority, that the vicarious liability is visited upon the master only in certain circumstances, and that if a servant is off on a joyride of his own it doesn't redound upon or bind the master for his actions.

I take it that this is the purpose of the new section 7, to catch that situation and to try to give it some definition in law which it presently does not have.

We are interested in subordinate notes and the range of the subordinate notes, and what the minister thinks the impact of subordination would be. He grants them the power of this extended borrowing capacity by way of subordination, but then he places so many restrictions upon it that I just wonder how efficacious it is really going to be. It must be evidenced by unencumbered investments and the whole situation as set out, so far as loan corporations are concerned at least, in section 12, subsection 7, touching their position.

Then the same thing is reduplicated—well, not quite the same, but substantially reduplicated—in terms of the trust corporations further on in the legislation. In other words, just precisely what does the minister think he is going to achieve by the subordinate note situation? I trust that it would mean a fairly radical expansion in the powers of this corporation to lend moneys, expanding its capacity to lend, because of the weight that this province, over against the British jurisdiction, places upon trust and loan corporations and insurance companies in the mortgage lending field; by which we felt the severe pinch recently, although I think the situation is somewhat alleviated now—well, considering the 12 or 13 per cent interest rates on first mortgages that exist—and the money is a little looser in this regard than it was previously. It has flowed into that market.

I am interested then in his alteration of the ratios. In the case of loan corporations—and this applies to the trust companies too—they used to be able to borrow on a certain ratio of their unimpaired capital. That has been altered and it was going to be, I suspect—I can't go too far on this as a committee decision, but for myself alone at least—the alteration was incipient in the new recommendations we have made to the revision of this Act, to turn it over into matters of excess of assets over liabilities as a far better measure, actuarially speaking, than presently stands, but the minister retained the business of four times as a basic perimeter, then, later on, the business of borrowing 20 times as a top limit, a ceiling limit. Now he is saying that under certain very exceptional circumstances, I trust, the borrowing powers will be further enhanced through the Lieutenant Governor's warrant, and that they may go to some other higher ratio.

One of my first lessons in economics, by the way, was through the "Intelligent Woman's Guide to Socialism and Capitalism," which I recommend to every intelligent woman—and to a few intelligent men too—where Bernard Shaw spends a good deal of time talking about how the banking institutions of this world have it really made. I mean, they take in $1 of my money and are able on that basis to lend out $20 of mythical money by a bookkeeping entry. As for this enormous expansion, he goes on for several pages, howling and hooting over this and pointing out that Rothschild couldn't have done better if he had dreamed it up himself, which he did. If I could scrape up 20 times the money I haven't got, I'm somewhat further ahead than when I started, I would think. The same thing applies here.

What ratio has the minister got in mind? Just how far would he push that because he's stretching it out, as he well knows, on the basis of security. The problem always is the concentrated demand at any point in time upon those resources, for obviously the one

dollar isn't going to cover all 20 who appear on the doorstep asking for their dough. While I'm not going to take exception to it, nor is this party, I think the minister will agree it must be used with a good deal of scrupulosity.

The stretching out in this way, on one side of the fence, again expands the loaning potential of these companies. They have then more money at their disposal to lend into the mortgage field and the mortgage business is basically what these companies are concerned with. That's all to the good because it then makes the market competitive and has the effect of reducing, I trust, the interest rates, although there seems to be a good deal of cahoots around about that particular problem. Try to get a low interest rate anywhere. They all have a fixed rate, like a gasoline company. You might be able to go to a corner one on a cutrate basis but they're very difficult to locate. There is this kind of agreement on the market. It may be done voluntarily but I suspect there are other agencies operating there. Both in the case of loan corporations under section 12 and trust corporations, I think under 15, the bill expands this ratio.

The only question I have arising out of that particular thing is in the trust situation the minister goes to 12.5 per cent as a multiple figure rising from four, then on to the 20, and then opens up that. In other words, we have a series of guidelines, if you will, laid down as to what would be feasible and then the guidelines are obviated by the final appeal to the registrar and through the minister to cabinet and Lieutenant Governor's warrant in this particular instance.

Sometimes I wonder what it's all about. Why bother? Just give the minister the ultimate determination on this and issue a circular saying what he's likely to go for in any particular circumstances. With respect to the minimum capital requirements, which are presently in excess of $1 million, the corporation's branch is quite on its own hook, but without any particular legislative authority the minister can impose an additional burden over the basic $1 million mentioned in the statute. In order to give them their basic capital fed into the corporation as seed capital to keep them going, the minister is saying that any federal corporation in this field or extra-provincial corporation to come into this province must abide by the minister's rules and regulations with respect to this matter and with respect to the requirements on foreign ownership. This is all to the good. One could take no exception to that.

Those are the basic highlights of the thing. There are some nice points still to be made within the interstices of the legislation itself which we will come to, I trust, in committee. We certainly aren't going to oppose the legislation but I wish that the minister's inclement persistence or inability to abide the event wouldn't override other considerations.

Mr. Speaker: The member for York North.

Mr. W. Hodgson (York North): Thank you, Mr. Speaker. As chairman of the select committee on company law I agree with the Leader of the Opposition and also the member for Lakeshore that we have studied most of the contents of this bill very thoroughly. We are about to issue a report prepared by people on the minister's staff who have been very generous of their time in helping to prepare our report and discussing what should be in the report and what should not be in the report.

At this time, right after the closing of this session at the end of the year, we're getting a submission from the trust and loan companies. We also are expecting more help from the staff. I would like to know the reason for the urgency for this bill at this time. Our committee can stop work now, but then we report when the minister has the bill, and I am sure we have given it a very extensive study.

As far as the trust and loan companies in this province are concerned, we intend to continue through to January, and we will be reporting early next spring. I think this report will be a great guidance to any legislation; it will not only benefit the trust and loan companies but also any investor in this province or to anybody who has to borrow money. We are going to make certain recommendations.

Maybe the minister has a good reason for the urgency at this time, but I would like to hear that reason. If it is possible to give it second reading today and leave it over, rather than amending the bill after we bring it in—in which case we would have to amend it again next June, or July, maybe—I wish he would give it consideration if there is not all that much urgency at this present time.

Mr. Lawlor: He has one point—the MICs have to be looked after.

Mr. Speaker: Does anyone wish to speak on this bill? The minister.

Hon. Mr. Clement: Mr. Speaker, I appreciate the comments made by the Leader of

the Opposition, the member for Lakeshore, and the member for York North. Believe me, I recognize the contribution that the select committee on company law has made to the corporate life of this province. Certain recommendations were brought forward by that committee, I believe about last November, and in fact have been reflected in legislation already at this particular time.

The intent of bringing forward these amendments today—and I want to make this perfectly clear—is not to in any way prejudge or anticipate what my ministry officials believe the select committee might do, and therefore take the position that we are working ahead of that committee. We have no intention of creating that impression in the minds of anyone, because it is factually not true. We are moving ahead by way of these proposed amendments to the Act, because there is a particular urgency in our opinion to the situation at the present time.

The current financial state of the economy would in certain areas appear to be somewhat unsettled, and if we don't move ahead at this time, we will find ourselves in a position of having trust companies incorporated in this province unable to accept any more deposits from depositors, because they cannot pay the rate of return to the proposed depositor because they won't be able to put that money out to work in mortgage investments, already having touched the 20 times limit I suggest to the members of this House, through you, Mr. Speaker, that this could well create a feeling of no confidence in these financial institutions, and in anticipation of the federal bill having royal assent very shortly, could create a terrible situation in the mind of the depositor whereby company A, which is a federal company incorporated in Ottawa and licensed to do business here, can accept and in fact is attracting deposits, while our own provincially incorporated companies are for very practical reasons unable and unwilling to accept deposits. Irreparable damage might well be done to our own Ontario companies if this situation should occur.

This is not a matter of a competitive thing between Ontario and federally incorporated companies. It's a matter of close liaison between my officials and the officials at Ottawa who recognize the same financial situation with their companies which have already touched the 20 times limit. Accordingly I submit that that demonstrates some urgency to this situation.

I am not going to be presumptuous enough to anticipate when we might receive the observations and recommendations of the select committee.

The chairman, I think, mentioned in his comments this morning that we might have them perhaps in January.

Mr. W. Hodgson: No, no, next spring.

Hon. Mr. Clement: Next spring, and by the time we receive those recommendations, Mr. Speaker, and implement them, the House may well have risen and we could actually be projected into a situation some 10 or 11 months in the future. Hence our bringing this legislation to the attention of the House today.

I should point out by the way that it is our information, verified by financial statements, that most of these trust companies today invest about 75 or 85 per cent of their assets in mortgages. If we didn't go ahead with this legislation, and those trust companies weren't able to accept any more deposits and accordingly were unable to put out any more money, the mortgage market that they have been servicing would be affected very adversely.

The member for Lakeshore made reference to the MICs, the mortgage investment corporations; they of course are a special type of corporation. I believe we dealt that with legislation within the last 12 months—

Mr. Lawlor: May I stop the minister for a moment? What does he mean, cannot accept deposits? I mean the ratio is based upon the deposits accepted, that is at least part of it. Does the minister mean that the ceiling has been reached with respect to the 20 per cent on lending by way of mortgages.

Hon. Mr. Clement: Yes, on lending. Oh yes, on the lending.

Mr. Lawlor: Nothing else?

Hon. Mr. Clement: No. But if the situation is such that they have touched their limit—

Mr. Lawlor: On lending.

Hon. Mr. Clement: On lending, not on borrowing or attracting deposits; they can take in as much as they want.

Mr. Lawlor: Every time they take in one they expand. That is fine.

Mr. R. F. Nixon: They can lend another $20.

Hon. Mr. Clement: Not quite, because they have a maximum limitation on the amount

that they can borrow or accept as deposits being 20 times the unimpaired shareholders' equity, and we must remember we have got to distinguish between shareholders equity and moneys on deposit. I see the member for Lakeshore smiling somewhat benignly, and I am just anticipating and presuming, although I may be in error, that he does understand this, having had some exposure to company law at some time in the past.

Mr. Lawlor: It is assets over liabilities now then?

Hon. Mr. Clement: By obtaining additional funding with the subordinated notes, the subordinated notes, of course will be considered for purposes of the 20 times principle, as unimpaired shareholders' equity.

I was mentioning a moment ago the mortgage investment corporations. They are excluded from registration under the Act, and all that section 5 does is to adjust our legislation to be compatible with the federal legislation.

Mr. Lawlor: The minister seems wrong to me. It is not 20 times shareholders' unimpaired equity, it is 20 times the excess of assets over liabilities.

Hon. Mr. Clement: Then what do you resolve it to, Mr. Speaker? What does it boil down to—20 times assets over liabilities?

Mr. Lawlor: That would be partially shareholders' equity, but it would be other things, too.

Hon. Mr. Clement: Sure there would be other things, but the amounts on deposit are of course liabilities of the company in terms of their obligations which the company must discharge. I don't think the member is quibbling on that.

Mr. Lawlor: No. Well, we will get to it in committee.

Hon. Mr. Clement: All right.

The member for Lakeshore asked in essence, "What are you going to do with the subordinated ones?" I think I have already touched on that by saying that in computing the amounts the subordinated notes would be considered as unimpaired shareholders' equity. The subordinated notes will not rank in competition with moneys on deposit, GICs and this sort of thing. They have a fixed rate of return, and they lack any preferred creditor's position and they cannot, of course, be equity in the sense that they will participate in the capital appreciation of the company, such as common shares might do.

The member for Lakeshore again touched on section 7. This is the section, I believe, with the delegation of certain powers. The purpose of this is to free the board of directors, per se, from routine matters so that they can be carried on by an executive officer of the company, but it does not in any way release the trust company or the directors of their respective liabilities insofar as the discharge of their role as a fiduciary is concerned.

I think those are the only comments that I have to make in response to the matters touched on by the members this morning. But, Mr. Speaker, I want to make it perfectly clear to you in your role, not only as Deputy Speaker, but hopefully more so, sir, in your role as chairman of that select committee—a committee of this Legislature which has had unparalleled leadership under very outstanding chairmen over the past several years.

Mr. Lawlor: There can be some self-serving statements sometimes.

Hon. Mr. Clement: A committee which has had the advantage of travelling to western Europe twice, once led—

Interjection by an hon. member.

Hon. Mr. Clement: —led by a now present minister of the Crown and twice attended by the present chairman. But we are looking forward—and I say this seriously—to the recommendations that will emanate from the committee's report later on next spring. Many of the matters that cause us concern on this side of the water have been resolved in other jurisdictions; particularly in the United Kingdom, in view of their ancient and long-standing experience in the marketplace in this sort of commercial activity. And I think that we can benefit substantially by the information that we obtain from such other jurisdictions.

Mr. R. F. Nixon: I'd like to hear a government member comment on this bill.

Hon. Mr. Clement: I beg your pardon?

Mr. R. F. Nixon: Did the chairman comment on this bill?

Hon. Mr. Clement: Yes, he commented on it. I cannot paraphrase for the chairman, but he wondered why there was any urgency and directed his remarks to that end. And by the demonstration of just logical procedures, I

am sure he is convinced now, after having heard my comments in this regard.

In any event, I do say that there is some urgency in the situation now, for the reasons I mentioned. But I don't want anyone to feel that we are trying to anticipate anything the select committee is about to do. We look forward to receiving its observations and we will react accordingly.

Mr. J. E. Stokes (Thunder Bay): Does that committee go on forever?

Mr. Lawlor: Yes.

Hon. Mr. Clement: I think so. I can only hope that the complexion of the committee insofar as the representation of different political parties is concerned remains the same forever.

Mr. Lawlor: We have got to do insurance companies next.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Mr. R. F. Nixon: I'd like that to go to committee to have some of our experts look at it.

Mr. Speaker: Committee of the whole House, Mr. Minister?

Hon. Mr. Clement: I think it probably would be in the best interests of everyone if it did go to the committee of the whole House. But not today, in view of the comments of the Leader of the Opposition and the feelings of other members here. There are people, I am sure, who are not present today who can make a contribution at that time.

Mr. Speaker: Committee of the whole House?

Agreed.

EMPLOYMENT STANDARDS ACT

Hon. Mr. MacBeth moves second reading of Bill 134, the Employment Standards Act, 1974.

Hon. J. P. MacBeth (Minister of Labour): I'd just like to make a few comments, Mr. Speaker, before I hear the opposition.

There is little new in this bill. For the most part, it is consolidation. There is a little new policy—well, it's more an extension of policy than any new policy—and there are a few new measures, but they have already been announced. What I am saying is that most of what is here is consolidation, an extension of policy or some changes that have already been announced in the House.

Certain provisions now are made applicable to the Crown. We are reducing the hours after which overtime should be paid from 48 hours to 44 hours—

Mr. E. J. Bounsall (Windsor West): It's already done.

Hon. Mr. MacBeth: —and certain provisions for substitution of holidays in connection with people working in the hotel and hospital fields.

There are provisions for equal benefits for pension and life insurance schemes. They, of course, will have to be subject to regulations because it is a very complicated matter. Provisions for pregnancy leave, of course, have been announced.

When we reach committee, I will be bringing in two further amendments, one in regard to section 36 and the other in regard to section 65. I'll supply the members of the opposition with copies of those amendments, but my proposal is that it should be referred to standing committee eventually, Mr. Speaker, because I think there are some things in here that we'll probably want to examine at that time and in those circumstances. Thank you, sir.

Mr. Speaker: The member for Welland South.

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I rise on behalf of the official opposition to make a few comments relating to Bill 134, the Employment Standards Act, is that we will support the principle of the amendments to the bill, but with some reservations. I was delighted to hear the minister say that he was going to refer it to the standing committee of the Legislature. I think that is where the bill should be referred before final reading.

Generally, the Act limits the working hours of an employee to 48 hours in a week. I believe that 48 hours a week still is the intent of the bill. It may be hidden in there, but the minister has indicated that it is 44 hours; and by certain interpretations of the bill I find that the director of the employment standards branch can set the hours of work beyond 44 hours a week.

When one looks at the title of the bill and the explanatory notes, one sees that the bill

updates, revises and consolidates the present laws governing the standards of employment. And that's important: the standards of employment. And the bill, as far as I can see it, Mr. Speaker, does not go quite far enough to set the standards of the hours of work in the Province of Ontario.

The bill does not include the type of work that is carried on in the construction field in Ontario, particularly highway construction. It does not cover the hours of employment in the sewer construction field in the Province of Ontario. It does not cover the hours of employment in the hotel and tourist industry in the Province of Ontario.

One can leave the policy set by the director of the employment standards branch, to extend the hours from anywhere from 44 to 60 hours a week, in some cases this does not include overtime. The minister has indicated the labour standards of the Province of Ontario should be revised, and I believe it should be in the direction of setting a standard of 40 hours a week across the Province of Ontario.

In other industries in Ontario, the standard is 40 hours a week. Here we can go up to 60 hours a week. I find that there is quite a discrepancy in the bill in this particular section of section 1.

The other matter I'd like to deal with is the matter of the hours a person has to be employed in Ontario. Often I find that persons working in industry are not aware that through some arrangement with the director of the employment standards branch, they are compelled to work 48 hours, 50 hours or 60 hours a week. I believe that when there is an agreement made with an employer of Ontario, a posting on the bulletin board in the plant or the industry should notify the employees of his contract with the employer. I think it is essential that a notice of this type should be posted.

I was also interested in the comments about the employment standards branch in the minister's estimates statement this year. He said:

> The Act also provides that, in the case of a mass termination of 50 or more employees by a firm in a four-week period, the employee notify the minister, who then initiates action to assist the affected employees. This type of legislation is the first of its kind in Canada.

I hope it plugs the hole that is in the existing regulations. As I interpret this particular section here, it does not plug that hole.

I am sure the minister and his staff are fully aware of the infractions that are carried out now by employers in the Province of Ontario where, if they have 50 or more employees, they can gradually, over a period of three to four months, get down below 50 and then phase the plant right out. I think that there must be some strong legislation here to assure the employees, in this particular instance, that there is no loss of income on termination of employment.

I think it applies particularly where an industry has gone into bankruptcy, and there's nothing in here that says the employees' wages shall come first. I have been in a company that went under. At one time the employees' wages were always first, but lately it is not a matter of employees' wages coming first. That's usually at the bottom of the totem pole and they are left with very little. I think the minister should be bringing in stronger recommendations that cover this particular loophole in the regulations.

The other matter I am concerned about is the monetary loss to employees in the Province of Ontario. I can think of one instance—the matter has been raised in the Legislature here—which I brought to the attention of Mr. Scott, of the employment standards branch, and that was the matter of FigurMagic. It went into bankruptcy and there were a number of employees who didn't receive any money at all from that company. I understand that Today's Woman has taken it over and has employed many of the previous employees, and today I find that they perhaps are having financial difficulties and have sold out to another company. Presently there is back payment of wages due to employees, and some in the Welland area have lost $668. I say to the minister that there is a hole in the Employment Standards Act which must be plugged here. The minister cannot allow persons to lose income while being employed in the Province of Ontario.

There are loopholes in this particular section of the Employment Standards Act that must be plugged. There are other things here, Mr. Speaker, that one could get into in more detail. I was just going through the minister's comments. He says: "There is little new in the bill," and I suppose one could stand up on the opposition side and say: "That is quite true. There is little new in the bill."

I suggest that the minister has made the right approach by referring it to a standing committee of the Legislature so that we can get into the matters in more detail. I, per-

haps, will be moving amendments myself, as well as the labour critic here in the Liberal Party, so that the minister can correct some of these loopholes and plug some of them up, so that we do have a standard of employment in the Province of Ontario. I hope the minister takes this word "standard" of employment in Ontario more seriously than it has been taken in the past.

I can see that he is regulating for other benefits, such as pensions and so forth. It is a matter of great concern to many of us here in the Province of Ontario that some of those persons employed in perhaps less fortunate industries—they are not all employed in the automobile industry—should be entitled to such fringe benefits. Again, if one looks at the particular section of that bill—I believe it is section 34, on equal benefits—the section prohibits distinctions, exclusions or preferences between employees because of age, sex or marital status under pensions, life insurance, sickness, medical or hospital plans available to employees. Then the big question arises. The section authorizes the Lieutenant Governor in Council to make regulations providing for exceptions of this general principle. So on one hand the minister is giving it to them and on the other hand, he is taking it away from them. Why the particular power should be given to the Lieutenant Governor to remove that is questionable. As I said before, if we are going to have employment standards they must apply throughout the Province of Ontario so that all persons, regardless of what industry they are working in, are treated alike.

With those comments, Mr. Speaker, I'll sit down. I hope we will move amendments later on when the bill gets into the committee stage.

Mr. Speaker: The member for Windsor West.

Mr. Bounsall: Thank you, Mr. Speaker. Unfortunately, the minister was right on when he said there is nothing new in this Act. There is very little new. It mainly reorganizes the old bill into a more rational administrative form. One would have thought if one was making a study, which we heard was going on throughout the spring and particularly in the summer, on exceptions to the Act and a complete review, that Ministry of Labour officials would be looking for some new thrusts, some new initiatives, and some new ground to be ploughed, and that they then would bring in an Act which is completely new, an Act which would deal with some of the problems which are crying out to be met, that the people of Ontario might expect in a new bill now that they hear that a new bill is before us. Unfortunately this is not the case. The review from the ministry and the introduction of this new Act are basically a reorganization. A mountain has laboured and indeed brought forth a mouse.

It is a tremendous disappointment and, I think, a true reflection, however, on the government's attitude towards the two-thirds of the working people in this province who are unorganized, a vast majority of whom are dependent upon the minimum provisions which are laid out under this Act. Apart from pregnancy leave, there are really no new thrusts which will affect in any material way, people in the workplace in this province. Before going on and leaving the one point on pregnancy leave, this was a measure which we urged upon the former Minister of Labour in, I think, the fall of 1973, in which we said this should be extended beyond 12 weeks—UIC pay 15 weeks—and he should at least bring it up to that and loosen it up. This is what, in fact, has happened here. The minister has made it 17 weeks. He has allowed it to go as many as 11 weeks before. If there is a miscalculation upon the date of the expected birth and it comes a month after that predicted, for example, the person would still have the right to six weeks off thereafter. This is all a step forward, even though a minor step forward.

If one was really wanting to plough new ground here, one would have in this bill paternity leave, which has found its way into some union contracts already in this province, and which gives to a father a right to stay home for, let's say, a six-week period after the birth of a child in order to assist around the house. I believe that Sweden, in melding its policy of pregnancies and births with its day-care, child-care and infant-care attitudes, has allowed one of the two parents to stay home with full pay for one year after the birth of a child because it's cheaper to do it that way than to provide rather expensive infant care. If one is looking for new areas with which one could rationally approach the problems of birth and children, one certainly has the Swedish jurisdiction to look to and consider. It is a bit disappointing that the minister has not tackled the problem of paternity leave or leave for one or of the other parents to look after an infant, particularly in the months immediately following birth.

In the overall principle involved in this whole "new" Act, I think the minister as a

new minister needs to question the attitude of some of the staff in his ministry. I'm not talking about the director of the employment standards branch. It is an attitude that I detected on the part of some other of the ministry officials in the discussion of the estimates. Statements occurred such as: "We must remember that the Employment Standards Act sets forth only the minimum."

I detected this as an attitude of this Act not being all that important, because it deals only with the minimum. This is an attitude that completely ignores the fact that a large part of the unorganized workers in this province are employed directly at the minimums that are quoted in this Act; the minimums established in this Act. The Act, therefore, sets down the working conditions and benefits under which the government of Ontario is willing to see all those employees working. The minimums here reflect, in fact, what the minister is saying are the conditions appropriate for many workers in this province. If it's his desire to see workers in this province not working at the minimums in this Act, looking at each one of them individually, then he should increase the minimums under this Act.

However, there is one section in this Act, Mr. Minister, which is disgraceful. In the notes under the hours of work it says: "There is no change except for housekeeping amendments." Does the minister consider the dropping from this section the provision of transportation home for female employees between midnight and 6 a.m. as simply a housekeeping amendment? I would not have thought so. There are a lot of female employees in this province who would not have thought so.

Let me put the question to the minister this way. How many acts of molestation of women, who would have otherwise been provided with transportation home under the old provisions of this Act, will he tolerate before he reinstates it? One? One might even think that might be reasonable. Two? Twenty over a three-month period? Two hundred over a six-month period? Just what number and what period of time does he and his ministry consider to be the appropriate number and length of time over which incidents of this type might occur before he reinstates this provision in the Act?

Sure, this is protective legislation for women in this province. But according to some women's groups this is discriminatory, and they have opposed this protective legislation for the fellow members of their sex because it is discriminatory. So, what's the ministry's reaction? It abolishes it. It goes ahead and abolishes it rather than extending it to all employees in this province, men or women, who feel they might need the protection under that section of this Act.

In fact, Mr. Speaker, it shouldn't be tied to any particular hour, such as midnight. There is nothing particularly sacrosanct or Cinderella-ish about midnight. The ministry should tie it to the availability of public transportation. In the city of Toronto, for example, it may well mean 2 o'clock in the morning for most areas. In the city of Ottawa it might mean 11:30 or midnight. In the city of Windsor, for all the outlying areas, it might mean 8 o'clock at night.

Mr. Stokes: In some areas they roll up the streets at 10.

Mr. Bounsall: In the member for Thunder Bay's riding it might mean all day long.

The ministry may have to put in a darkness clause for those areas of the province where there is no public transportation. But this is the way this problem should have been attacked, not by abolition of the provision. There should be an extension of it to all employees, male or female, who feel they need this provision, and tie it to the availability of public transportation.

The minister has had other instances of discrimination on the basis of sex pointed out to him in labour Acts, such as in the Workmen's Compensation Act. For example, widows receive death benefit payments in the event of a man killed in a workplace. When it was pointed out that this was discriminatory and should be applied to widowers where a woman was killed in a workplace, the minister's reaction was not: "Oh, oh, discriminatory because we have only included widows; we will therefore abolish the section on widows." No, we included widows and widowers. In virtually every situation where there has been a discriminatory instance that he has looked at and one something about, the minister has provided for all-inclusive coverage—except here. There is no excuse whatsoever for doing that in this section.

The minister cannot hide behind the fact that the Ontario Federation of Labour, some four or five years ago, passed a clause saying it was discriminatory and therefore should be abolished. He cannot hide behind that fact as his main reason for taking it out, because if he did that would be the first time he would have accepted any clause suggested by the Ontario Federation of Labour in its full form. The minister cannot hide behind that, and he has not done proper thinking in this section. I would be interested in knowing

the exact number of incidents over what period of time the ministry has decided will be an acceptable increase over what is taking place at the moment.

I assume under this section it is now completely okay with the minister to drop the protection for female employees, irrespective of their age, who work between 12 o'clock midnight and 6 a.m., be they 17, 16, 15 or 14 years old. This is now okay by the labour ministry in the Province of Ontario, because that section has been dropped from the Act as well in this section.

The hours of work, Mr. Speaker, are still retained at eight hours a day and 48 hours a week. There is no excuse for retaining it at that high figure of 48 hours in the week; it should be reduced to 40 hours in the week.

The equal benefits section appears to prohibit differences in pensions, life insurance, sickness, medical and hospital plans to employees on the basis of sex or marital status. However, as the minister already mentioned in his opening remarks, this situation will have to be carefully looked at by the regulations, and in those regulations he can certainly make exceptions. I would like the minister to assure the House that any exceptions made to equality here under life insurance, pensions, sickness and hospital plans, etc., will be made only on the basis of actuarial differences, and no other.

I would also hope those regulations, when they come forward, will in fact define the status for equality or for the receiving of pensions, life insurance, etc., for common-law situations in this province. It is not good enough to leave it to the devisers of pension plans or life insurance plans to define what is a common-law relationship. The minister has four instances of definitions of common-law relationships; he may well have to do it, not as an overall definition, but for a common-law relationship as it relates to pensions, as it relates to life insurance, as it relates to hospital and medical plans, as it relates to sickness insurance. It might not be appropriate to have one definition to cover all categories, but the minister must make that determination. He must set that forward; he cannot leave this to the private insurance companies to make those definitions.

With respect to equal pay for equal work, there has been a small step forward here, one which I hope—perhaps the minister can be clearer on this—will remove most of the contentious issues revolving around equal pay for equal work. The new principle is to pay equal pay, not for equal work but for work that is substantially the same, requiring not equal skill, effort and responsibility but substantially the same. This, I think, should resolve most if not all of the arguments one gets into vis-à-vis orderlies, nurses' aides and costly grievances that have to be fought—so on. In that sense, if that once and for all gets rid of that argument and gets rid of the costly grievances that have to be fought over this situation, that certainly is a step forward. I would like to hear the minister's comments on that.

Again, Mr. Speaker, sections of this bill, damn themselves in the notes. When we get to the termination pay section of this Act it says: "There is no change in substance." Well it is a disgrace that there is no change in substance.

There is no increase in the length of notice time to employees. There have been research studies done on this, and there is one other jurisdiction in Canada which is ahead of the Ontario section. Quebec gives four weeks or one month of notice after one year, as opposed to Ontario's one week of notice for two years or less.

On mass layoffs as well, in both Quebec and Manitoba, 10 workers, not 50, is the requirement for termination notice over a four-week period. We have argued for at least three years, to my knowledge, about 50 being far too high a number to qualify for a mass layoff termination notice, and two other provinces in Canada have reduced that figure to 10.

In terms of non-mass layoffs, simply in terms of the amount of termination notice required, I think we could quite acceptably take the one month after one year provision from Quebec, with two months in the period from one to two years, three months in the period from two to five years, and six months thereafter.

Some of the research studies done by the minister's own ministry have some thoughts on the length of termination notice or termination pay in lieu of notice. Those studies indicate that the justification for notice and the length of notice rests on the usefulness for personal adjustment and mitigation of the psychological shock, particularly for older, long-term workers, in finding themselves about to be terminated.

There is no particular correlation between finding a job and length of termination, but it is pointed out that the usefulness of a long period is to help accomplish the psychological adjustments that must occur, particularly for older employees who have more

trouble anyway in being relocated, and particularly as they move from a high seniority situation where they had specialized skills and experience to a situation where those very specialized skills and experience become a disadvantage in relocating.

We owe it to our older employees in this province to ensure that more notice of termination be allowed to take place in order that they be able to adjust to new re-employment, as well as to find that employment.

There are other things that have not been done in this section, which cry out to be done and which are of great concern to me. Nothing has been done about termination at the time of a strike. A private member's bill was introduced and debated in this House shortly after the Hall Lamp situation; and the minister knows the details of that. We had another one in Tillsonburg, just a short time ago, where employees were terminated while a strike was in progress. There is nothing in this section which says to the employer he must pay the termination pay provisions of the Act.

Another private member's bill was introduced and debated in this House with respect to the section on termination relating to actions by the government, actions in which a plant is closed down because of governmental action, in which, when the Act was subsequently amended, termination pay is to be paid only when notice comes forward under the Environmental Protection Act.

This arose in the Act out of the thought that maybe Canada Metals and so on may be closed down under an Environmental Protection Act order. But what became clear at that time was that the Environmental Protection Act probably didn't have the authority to so do, and what would have to be done, if the plant needed to be closed, would be a termination under the Health Act.

We argued at the time that that should be included. In fact this whole section, rather than paying just "the Environmental Protection Act," it should reasonably read "by any statute of the Province of Ontario;" and "the employer shall pay the termination pay upon closure." It should be made to cover any Act or statute of the Province of Ontario, not just the Environmental Protection Act.

The problem of bankruptcies has been mentioned quite recently in the estimates of the Ministry of Labour and has been thoroughly aired there. Again, it's the Bankruptcy Act which places the workers' benefits in third place I understand the minister is talking with the senior level of government on restoring workers' wages, presumably vacation pay and the termination pay, to the number one position, except that when a bankruptcy occurs there may not be enough funds even to pay those provisions to the employees.

I suggested to the minister that there should be a termination pay insurance fund to which all employers would contribute a small amount — because there are not that many bankruptcies in the province—so that the workers, when they find themselves in that position, irrespective of whether the Bankruptcy Act is changed or not, would in fact receive their full wages, would in fact receive their vacation pay entitlements and would in fact receive the termination pay given to them under this section of the Act. There does not need to be a great big new bureaucracy either to collect that or disburse it. The disbursement could be immediate, and if anything can be collected under the Bankruptcy Act or receivership provisions it would be taken and given back into the fund.

Mr. Speaker: Does the hon. member have further remarks to make?

Mr. Bounsall: I do have further remarks.

Mr. Speaker: Would you move the adjournment of the debate, please?

Mr. Bounsall moves the adjournment of the debate.

Motion agreed to.

Hon. A. Grossman (Provincial Secretary for Resources Development): Mr. Speaker, before the adjournment, I would like to advise the members that on Monday we will continue with the debate on this bill, and proceed to debate Bill 136, the Land Transfer Tax; and Bill 155, the Algonquin Forestry Authority Act. The House leader (Mr. Winkler) will be back on Monday and he will announce the balance of the business when he gets here.

Hon. Mr Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

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No. 133

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Monday, November 25, 1974

Afternoon Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, NOVEMBER 25, 1974

The House met at 2 o'clock, p.m.

Prayers.

Mr. M. Shulman (High Park): Mr. Speaker, I am sure the House will be pleased to join with me in welcoming 30 students from Fern Ave. Public School who are in the east gallery.

Mr. Speaker: I beg to inform the House that I have received the third report of the Ontario Commission on the Legislature.

Statements by the ministry

REPORT ON ELECTION EXPENSES

Hon. W. G. Davis (Premier): Mr. Speaker, relating to the report you have just tabled, which I guess none of us has read yet, there are just two preliminary observations I would like to make.

I think it is fair to state, Mr. Speaker, that it will be regarded as a very important report and that all members of the House will wish to have the opportunity to study it. Certainly this will be my approach and that of the government.

However, there is one aspect I would like to emphasize, and I go back to the time when the commission was asked to undertake this study. I said then that my personal point of view was that full disclosure of contributions to political parties should be the basis or the cornerstone of any set of procedures or changes that are adopted. Furthermore, Mr. Speaker, I think I indicated this probably had to be established in legislation, and I am quite convinced of that fact. So no matter what else may be in the report and what the views of the members may be, I am saying to the House now, Mr. Speaker, that from the government's standpoint, this aspect of election financing will form part of the legislation when brought before the House.

I think it's also important to restate what I said to the leader of the New Democratic Party Wednesday or Thursday, or sometime last week, when I was asked if this report would be dealt with—that is legislated—prior to the next election. Mr. Speaker, it is quite obviously a fairly voluminous report and will require, I think, a fair amount of detailed consideration, but certainly it is the government's intent that it be legislated as soon as possible and certainly before any general election is called.

I would ask, Mr. Speaker, that all members of the House study this and study it carefully. I sense that it is a fairly far-reaching document in terms of its recommendations and will be, I think, a very significant step forward in terms of the political process here in this province, hopefully removing some aspects from the questioning and some degree of cynicism on the part of the general public as it relates to election finance. Personally, Mr. Speaker, I am looking forward to a very detailed consideration of it and, I am sure, quite substantial discussion here in the House.

Mr. Speaker: The Minister of Housing.

SOUTH MILTON DEVELOPMENT

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I undertook during the estimates to report back to the House on the details surrounding Ontario Housing Corp.'s South Milton land assembly. I have waited until today to make this statement in order to ensure that all the relative material is placed before the House so the members and the public will be fully aware of the circumstances surrounding this assembly.

The land acquisition situation in the South Milton area in the fall of 1973—and we must examine the assembly in that light—was outlined by me on Nov. 14. The situation at that time was as follows:

The parkway belt west study, published June 6, 1973, specifically delineated South Milton as a site for future urban growth.

Restrictions on substantial urban growth within the present metro boundary, plus the dynamic Toronto land market, made it essential for the province to move quickly to acquire sufficient acreage so as to dampen the pattern of future land speculation.

Prices in the Milton area, along with other heavily urbanized areas, were escalating monthly.

Rapidly rising prices forced OHC out of two of the four assembly areas originally selected.

In order to give the hon. members a clearer picture of what was happening in the land market at that time in areas immediately south and east of this assembly, I am tabling a sampling of private transactions, the majority of which occurred in late 1973 and early 1974. This, I think, will tend to put our actions into the proper perspective.

To the south of the OHC assembly: Eastern Holdings paid $17,319 more per acre for land than it cost two years previously; Whitehall Development Corp. paid $10,513 more per acre than the previous purchaser six months prior; Andrews Paving and Engineering Ltd. paid $6,634 per acre more than the land sold for a year earlier.

Mr. V. M. Singer (Downsview): Weren't those all in Mississauga?

Hon. Mr. Irvine: To the east of the OHC assembly: Rindor Holdings paid $4,867 per acre more than the previous purchaser 18 months prior; Archway Builders had to pay $6,500 per acre higher than the price for which the land turned over just three months previously.

In other words, private assemblers using their best judgement were paying increases of up to 38 per cent a month for lands adjacent to OHC's during the same period of time.

Turning now to a chronological outline of our activities in South Milton where our hope was to assemble approximately 4,000 acres out of the 8,000 designated in the parkway belt west study for future urban growth, on Oct. 18, 1973, Mr. S. C. Procter, director of land acquisition for OHC, made a preliminary assessment of the South Milton area. I am tabling, at this time, Mr. Speaker, Mr. Procter's notes concerning the site. Attached to Mr. Procter's notes were samplings of real estate properties listed for sale in the area. They indicated prices ranging from a low of $3,500 per acre to a high of $20,000 an acre.

After discussions with senior OHC officials, Mr. Procter was then instructed to meet with officials of Gibson Willoughby Ltd. on Oct. 25, 1973 to determine that firm's capability to assemble land on behalf of OHC. The Gibson Willoughby firm was approached because it had considerable expertise in land assembly; could assemble a very competent team from its Toronto office; was extremely knowledgeable about the area; and use of a private firm helps to maintain confidentiality. On Oct. 31, 1973, the OHC board of directors approved the general strategy, and staff then began negotiations with the Gibson Willoughby firm. On Nov. 5, 1973, the first operational meeting was held with Gibson Willoughby and our solicitor was instructed to commence having photographs taken of the deeds in the land registry office. This work commenced Nov. 8.

Mr. Speaker, at this time I'm tabling a receipt for fees paid for this work, together with extracts of these titles prepared from the photographs in the solicitor's office. There were 119 titles searched and they indicated prices being paid in the South Milton area which ranged as follows: In August, 1966, $3,000 an acre; in January, 1968, $1,000 an acre; in February, 1969, $2,468 an acre; in May, 1969, $2,651 an acre; in August, 1969, $2,578 an acre; in September, 1969, $2,515 an acre; in November, 1969, $2,799 an acre; in January, 1970, $2,936 an acre; and in November, 1972, $3,026 per acre.

I could go on, Mr. Speaker, but that's sufficient indication of the prices actually paid for the land over the years in the South Milton area. It shows OHC was fully aware of land prices in the area prior to its decision to set initial target prices for acquisition.

On Nov. 13, 1973 an agreement was signed between OHC and Gibson Willoughby to act on our behalf in the assembly of this land. Mr. Speaker, I am tabling that agreement. Because some questions have been raised about the qualifications of those associated with the assembly, I am tabling a list of OHC officials and our agents, together with their qualifications.

While awaiting the title search summations, Gibson Willoughy made inquiries on properties for sale and determined prices being asked at that time in the immediate area. No decision regarding the initial offering prices was made until after the title searches were received. On Nov. 23, Mr. Bartlett, executive vice-president of Gibson Willoughby, met with Mr. Procter to set the date when acquisition would probably commence. At that meeting the initial offering of $3,000 an acre was established. This was not to be exceeded without further instructions. I am tabling at this time, Mr. Speaker, Mr. Procter's minutes of that meeting.

During the course of the debate on the estimates, I was asked why we didn't carry

out an individual appraisal of each parcel of land in the assembly area. The appraisal process, Mr. Speaker, involves a detailed inspection of the land, and eventually alerts all the owners in that area that an assembly is under way and tends to drive up the prices. Furthermore, formal appraisals would have created a time delay at a period when prices were rising very rapidly and OHC and its agents had already thoroughly reviewed the market.

Every effort was made to maintain confidentiality of the purchases. For example, our agents were instructed to assume first, second and third mortgages rather than offer cash, to mask the fact that the government was involved. After considerable effort, the corporation found no owners willing to sell at $3,000 an acre, and on Dec. 6, Mr. Procter instructed Gibson Willoughby to begin raising the offer.

I now wish to table, Mr. Speaker, a list of all the transactions up to and including April 11, 1974. This list indicates that the first purchase was on Dec. 19 at a price of $4,500, and that the lowest price we were able to obtain in that area was on Dec. 28 at $4,100. You will note, Mr. Speaker, that the average price paid for the 2,300 acres, the total acreage that we acquired, was $5,384.

Specific reference has been made to the transactions with Morris Freedman of Bonnydon Ltd. The first meeting with Mr. Freedman and one of our agents was Dec. 12, 1973. Mr. Freedman first indicated he would not sell, but later that day, when rejecting an offer of $4,500 an acre, said he would think about selling and let us know.

On Dec. 17, he indicated he had 400 acres for sale at $5,500 an acre and said he was consultant for other persons and groups who might sell at this price. On Jan. 11, 1974, Mr. Freedman indicated he could deliver approximately 1,250 acres at $6,250 per acre. Gibson Willoughby offered $4,750 an acre, the maximum that they were authorized to offer at that date. After further negotiations, Mr. Freedman offered to deliver the full package for $5,500 an acre.

On that same day Gibson Willoughby notified OHC that the principals of Bonnydon Ltd. were offering 11 properties on the following terms: They were prepared to sell the entire package at $5,500 an acre, but were not prepared to sell individual parts of their package. In other words, Mr. Speaker, it was an all or nothing offer which required an early response from OHC.

The properties offered were dispersed throughout the entire area and without them the assembly would lose its viability. They represented one-quarter of the total acreage of the desired acquisition. Most of the owners within the assembly area had been approached by this time and asking prices had been determined. The majority of them required a price in excess of $5,500 an acre. In other words, acquisition of these 11 properties were essential for the success of the land assembly, and the price was comparable or lower than was asked for similar properties. In this regard, Mr. Speaker, I am tabling a map which indicates the locations of the Bonnydon lands in reference to the overall assembly.

Some members have indicated that the information concerning the previous prices paid by the Freedman-related firms might have been easily ascertained by checking the registry office. This is not so. Full information relating to the Freedman options or purchases was not available to us at the registry office on Jan. 11. We had to make our decision on the basis of our knowledge of the market at that time, on the value of these lands to the overall assembly, and on the experience gained by many weeks of continuous negotiation.

On April 8, 1974, the last authorized purchase occurred at $6,000 an acre from J. Cecchine. All the other prices which were determined in the area were above this figure. For example, owners were asking $6,600 an acre, $8,000 an acre and $10,000 an acre. In this regard, Mr. Speaker, I am tabling details as of March 31, 1974, of the lands in the assembly area which we endeavoured to buy, along with notations outlining the nature of the negotiations and the reasons for not purchasing those remaining lands.

Let me summarize, Mr. Speaker. First, in regard to the criticism that there was insufficient pre-planning or investigation of prices in the assembly area: 1. A complete search of all relevant land titles did take place, together with an analysis of transactions and prices. 2. Both OHC personnel and Gibson Willoughby reviewed those prices. 3. There were assessments of the market situations, both by OHC and Gibson Willoughby, based on recent sales and offerings in the area. 4. The initial Gibson Willoughby offer of $3,000 was set after joint OHC-Gibson Willoughby consideration.

Considering the procedure used to purchase land within the assembly. 1. There were tough negotiations throughout. 2. The gov-

emment's agents didn't go out with cash in hand but rather bargained closely and operated under price guidelines. 3. These agents were highly skilled negotiators who knew the area well. 4. There were continuous and close consultations between the two teams, confidentiality was maintained and OHC approved all prices.

As to the suggestion that OHC used poor business acumen and knowingly allowed considerable speculative profit, I say this, Mr. Speaker: 1. The technique we used in this assembly—the same technique used by other governments and the private sector—was related to the market at that time. 2. The market was one of rapidly spiralling price. 3. We had to buy near market or else abandon the concept of a landbank at that time. 4. We accepted this fact and, as a result, acquired a controlling interest in the area, cooled speculation and provided the potential for future urban development.

It has been suggested by some members that we should have used the Expropriations Act to acquire these properties. Mr. Speaker, as you know, a hearing of necessity is required to consider whether the taking of the land is clear, sound and reasonable. In order to provide this information, a comprehensive development plan would have to be prepared. I want to remind the members, as I indicated in my statement announcing the South Milton assembly, that the ultimate specific use of these lands at the time of purchase was not fully established. Therefore, it is very questionable that such an expropriation hearing could have been successsful.

In the question periods last week a number of specific questions were raised by hon. members. The member for Scarborough West (Mr. Lewis) asked, on Nov. 21, if the government has used real estate firms to assemble land on other occasions. I would refer the hon. member to page 5285 of Hansard as this has already been answered.

Mr. I. Deans (Wentworth): Will the minister answer yes or no?

Hon. Mr. Irvine: The member for Brant (Mr. R. F. Nixon) asked, on Nov. 21, how much the legal firm was paid. I would inform him that the answer is $48,475. This rate is below tariff and was negotiated at the rate of one-half of one per cent of the total acquisition price. Fees paid to Gibson Willoughby, at five per cent for the first $100,000 and 2.5 per cent thereafter, were $301,973, also below tariff.

Mr. Shulman: A real bargain.

Hon. Mr. Irvine: The member for Downsview asked on Nov. 19 if Gibson Willoughby negotiated the purchase of some 250 acres from a father and son who had previously listed their land for $1,500 an acre and had received no buyers.

Mr. Speaker, the father, Mr. Robert Marshall sold his property in 1969 for $2,600 an acre. This transaction fell through in June, 1969. Later that year Mr. Marshall listed the property, again for 90 days, at $1,700 per acre, excluding buildings and a small parcel, without any success. Three years later, Mr. Marshall sold his farm, including all buildings and property, to agents of OHC for $4,500 per acre. In my opinion, Mr. Speaker, after a period of three years this is not unreasonable.

On Nov. 19 the same member asked if we would explain the purchase of 100 acres which he stated was purchased by a Mr. Smith on Dec. 12, 1973, for $3,300 an acre and then:

> Smith then agreed to sell it to Bonnydon, one of the companies we talked about; Bonnydon agreed to transfer it to Moccasin Trail and then, on Jan 16, 1974, Moccasin Trail agreed to sell it to Gibson Willoughby Ltd., apparently nominees of the government, for $5,500 an acre.

The hon. member is referring to one of the 11 properties offered by Bonnydon Ltd., this being a property of 84 acres. As legal problems were encountered in title, the land was not purchased by OHC.

Mr. Singer: No, he refused to sell because he thought he was being taken.

Mr. Speaker: Order please.

Hon. Mr. Irvine: The member for Downsview also inquired on Nov. 21 about property owned by persons named Stewart and Knox, on lot 7, concession 8, which was allegedly offered to OHC in 1973 by these persons. Mr. Speaker, OHC has determined that at no time was this land offered to our agents; nor was any contact made with Stewart or Knox. The parcel in question was eventually acquired by OHC as part of the 1,250 acres offered by Bonnydon.

Mr. Singer: That's wrong, too.

Hon. Mr. Irvine: Members have asked for the facts, Mr. Speaker, and I have tabled them.

Members have questioned the manner in which OHC assembled the land in South Milton. In my opinion my statements have

refuted the allegations made about the business procedures followed by OHC.

Members have stated that the method of assembling the land allowed unconscionable speculative profits to certain individuals. Mr. Speaker, again I say the corporation paid market value for the lands in South Milton. I also want to say again that we paid market value to all persons from whom we purchased land in this assembly.

Mr. Speaker, I think the hon. members must understand that if we were not prepared to pay market value we would not have been able to assemble these lands, and our objective was to assemble land to provide for land banking for future urban development. We assembled 2,300 acres at an average price of $5,384.

Mr. R. Haggerty (Welland South): Was there a necessity for that?

Hon. Mr. Irvine: This acreage, at this price, I am very confident will prove to be a wise investment and will complement the province's overall land-use planning. Thank you.

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, may I take this opportunity, on behalf of my colleague the member for Essex South (Mr. Paterson), to introduce to you, sir, and the members of the House 120 students from Leamington District Secondary School? Would you join me in welcoming them and their teacher, Mr. Keith Campbell?

Mr. Speaker: Oral questions.

SOUTH MILTON DEVELOPMENT

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, further to the statement made by the Minister of Housing, in his concern for building up the landbank particularly, has he got a policy of not approving the use of landbank properties for housing in those areas which are not under the jurisdiction of a regional government? I refer specifically to the thousand acres in Brant, right next to the city of Brantford. Has he indicated he will not permit that development to go forward unless there is a regional government?

Hon. Mr. Irvine: Mr. Speaker, as far as the Ministry of Housing is concerned, I would say any land development will be in co-ordination with the province's overall plan for development, with the co-operation of the regional governments or the area municipalities involved, and after full determination has been made as to the best use of the land at that particular time. I do not have full knowledge of the specific fact to which the hon. member refers, but I can assure him that any such development will come under my full consideration and will not be made without all of the various ministries of this government being involved.

Mr. R. F. Nixon: A supplementary: Since we are concerned with the costs paid for the property, would the minister not agree that in the situation he has outlined in detail in response to our questions, that there ought to be some consideration given to the utilization of these lands for the establishment of new housing projects, particularly in those areas where, as in the case of Brantford, they have independently acquired land for housing projects on their own, with this thousand acres sitting there waiting to be developed?

Further, is the minister not aware that the reason being given in that particular area for the thousand acres not being developed, is that the minister refuses to consider the development since there is no regional government in place or in the offing?

Mr. Speaker: I deem that to be a new question, and not a supplementary.

Hon. Mr. Irvine: Mr. Speaker, whether or not there is a regional government there, I do not believe that has any bearing whatsoever on the development of land. The development of land in any particular area, as I said before, depends on the demand for housing, the demand for agricultural purposes, or whatever else the land might be developed for; but we would deal with the municipality involved, whether it's regional, area or local.

Mr. Speaker: Any further questions? The member for Scarborough West with a supplementary.

Mr. S. Lewis (Scarborough West): Yes, I would like to ask the Minister of Housing, how does he defend what emerges, in this saga of a government that pays market value, which amounts to extreme speculative profits for those who hold land for no other purpose than speculative gain and who hold it apparently to sell to the government, which becomes the agent to satisfy the speculative dreams? How does he justify that in the Ministry of Housing, given his alleged attack through the Land Speculation Tax Act and his devotion to low-cost housing? How does

he engage in purchases which satisfy the most extreme and gross speculative appreciation?

Hon. Mr. Irvine: Mr. Speaker, as I mentioned last week, when we purchased these properties, as the hon. member is well aware, we did not have the land speculation tax.

Mr. Lewis: That's true.

Hon. Mr. Irvine: If we had, we wouldn't have had the spiralling prices. We have said continually that the land speculation tax has been a very effective method of controlling prices. However, at that time, prices were escalating very rapidly in that area. By controlling the overall area by buying certain properties, we have set the pattern of price.

Mr. M. Cassidy (Ottawa Centre): Sure; very high.

Hon. Mr. Irvine: If we had not, the prices could have been much higher than they are now. The land speculation tax is effective now but it wasn't then. That's the point.

Mr. Deans: The government made them high.

Mr. Lewis: That's why the government needed the tax—because of its own speculative activity.

Mr. Speaker: The member for Downsview.

Mr. Singer: Could the minister explain whether he was correct in the statement he gave this afternoon, when he said—if I heard him correctly—the prices weren't fixed until Dec. 6, as contrasted with the statement he made in the Legislature on Nov. 14, as reported on page 5286, when he said that prices were fixed in mid-October? Which was correct, October or December? Which information do we believe?

Hon. Mr. Irvine: Mr. Speaker, I could have to go back to establish very clearly in my mind what we were referring to in the previous statement.

Mr. Singer: Yes, I think he would.

Hon. Mr. Irvine: I have taken time on this statement to make sure that the facts—

Mr. Singer: Did the minister take no time on the other statement?

Mr. Speaker. Order, please.

Hon. Mr. Irvine: I took time on this statement to make sure that what I'm referring to is right. I can assure the hon. member for Downsview, and any other member, that the statement here is correct. I am still of the opinion my other statement was correct. We may not be referring to the same particular transactions; maybe we should check that out.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Supplementary question: Is it not true that the government is in fact in the business of speculating in land—

Hon. Mr. Davis: Buying land, not speculating.

Mr. Deans: —and that at the time that that land is subdivided and finally offered to individuals for purchase it will be at the then current market value, which is likely to be determined by the surrounding land owned by the private developers?

Mr. Lewis: That's why there is a housing crisis and why no one can afford one.

Mr. Speaker: Order please. The question has been placed. The hon. minister.

Hon. Mr. Davis: How much does the member think it is going to cost?

Mr. Singer: They're not going to build on that land for 25 years.

Hon. Mr. Irvine: Mr. Speaker, I do not believe that the government, at any time, is in the land speculation business whatsoever.

Mr. Deans: It is.

Hon. Mr. Irvine: I say, though, that if the member for Wentworth were to listen to his leader he would have heard him say: "Let's buy up 150,000 acres."

Mr. Lewis: At the original purchase price, with the addition of holding costs, but without a penny for speculation.

Hon. Mr. Irvine: "Let's go out and buy 150,000 acres—let's buy the 150,000 acres by confiscation."

Mr. Lewis: That's what Comay said, that was the government's task force.

Hon. Mr. Irvine: Now let's understand what we are talking about.

Mr. Lewis: That's what the task force said.

Hon. Mr. Irvine: The socialist party would like to take everybody's rights away.

Mr. Deans: Oh come on!

Hon. Mr. Irvine: This party is going to make sure we respect the rights of people.

Mr. Speaker: Order please.

Mr. Lewis: On a point of privilege, Mr. Speaker—

Mr Speaker: Order please.

Mr. R. F. Nixon: Is the member going to give us a speech again?

Mr. Lewis: No, just a footnote.

Mr. Speaker: Your point of privilege?

Mr. Lewis: We don't have to accept that kind of claptrap. The proposition we've put forward is based on the government's task force report of 1973 and don't forget it.

Mr. Speaker: Order please.

Mr. Lewis: I don't have to be misrepresented by that kind of nonsense.

Mr. Speaker: This is developing into a debate, which is out of order. Does the hon. Leader of the Opposition have further questions?

Mr. R. F. Nixon: I have a supplementary question of the same minister Mr. Speaker, if you will permit that.

Mr. Speaker: This will be the final supplementary.

Mr. R. F. Nixon: I would like him to clarify the profit of $1 million that was apparently associated with just the seven transactions that were brought to his attention originally, I guess two weeks ago, associated with the one family, Freedman, and their three companies. Now, would he not agree that surely there is some question in the utilization of public funds, both federal and provincial, for the acquisition of land under these purposes, when a profit of $1 million is associated with only 600 acres? Surely the justification that the prices were spiralling and the minister's statement that he was only trying to buy out the speculators—

Mr. Speaker: Order please. The question has been placed.

Mr. R. F. Nixon: —is one that is not acceptable.

Hon. Mr. Irvine: Mr. Speaker, I endeavoured—as I said I would—to make the statement as clear as possible so even the Leader of the Opposition could understand it. Now I don't see how he can misunderstand what I've said. Prices were escalating. We paid market value. Whether the price we paid gave someone a profit of $1 million—

Mr. R. F. Nixon: A profit of $1 million on 600 acres; maybe even the minister can understand that is unconscionable.

Mr. Speaker: Order please

Hon. Mr. Irvine: —or whether it gave them a profit of $200,000 is not the relevant fact.

Mr. Lewis: That's what is called speculation by government.

Hon. Mr. Davis: No it isn't.

Mr. Lewis: Yes it is.

Hon. Mr. Irvine: The whole land assembly had to be considered in its total aspect. It wasn't how much somebody made out of one piece of property or how much they made out of 10 or 11; it was on the total number of acres acquired. I fail to understand why the Leader of the Opposition doesn't take a look at the statement first of all to see where the properties are, if he doesn't already know where they are located, so he may see how essential they were to the overall assembly; and then make some statements if he wants to.

Mr. Speaker: Any further questions?

CSAO NEGOTIATIONS

Mr. R. F. Nixon: Yes Mr. Speaker. I would like to put a question to the Chairman of the Management Board pertaining to the negotiations with the Civil Service Association. Since we didn't get a very rational answer on Friday to the same question, will the minister explain why he does not now introduce the amendments to the Crown Employees Collective Bargaining Act so that these particular matters, which are extremely sensitive in negotiations with the civil service, could at least be made public and would hopefully withdraw some of the pressures from the 'negotiations which are so far so unsuccessful?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I would thank the hon. member, Mr. Speaker, for the question. I would say that the information that was imparted to him on Friday was absolutely correct—and I have looked at it.

Mr. R. F. Nixon: Information which was one of those garbled political statements.

Hon. Mr. Winkler: However, as a further elaboration, Mr. Speaker, on Friday the hon. Leader of the Opposition directed a question to the Premier with respect to the status of discussions with the CSAO on proposed amendments to the Crown Employees Collective Bargaining Act. The Leader of the Opposition suggested, I believe, that the amendments will have a substantial influence on the course of the current negotiations.

Mr. Speaker, I would like to believe this would indeed be the case, but I am not encouraged by the public utterances of the leaders of the CSAO.

Mr. Deans: Will the minister stop this?

Hon. Mr. Winkler: Mr. Darrow has been quoted as saying the changes in the arbitration system will have no bearing on the course of current negotiations. He indicates that the 61.5 per cent wage demand is quite independent of the request for changes in the arbitration procedures and it appears that the leaders of the CSAO will encourage a withdrawal of services on Jan. 1 if their wage demands are not met, regardless of any changes we might contemplate in the legislation.

Nevertheless, Mr. Speaker, I am pleased to report to the House that the CSAO has responded to my request for a second meeting between officials and the CSAO and the Management Board of Cabinet to review their proposals for changes in the Act, and such a meeting has been scheduled for 10 a.m., on Thursday of this week. The hon. Leader of the Opposition may wish to question me after that time.

Mr. R. F. Nixon: A further supplementary: Has the minister been properly understood when he said there will be amendments to that statute at this session of the Legislature?

Hon. Mr. Winkler: After our discussions, as I indicated to the House previously, and upon the results of our meeting on Thursday, that certainly might well be the case.

Mr. Lewis: Supplementary: Is this the first time he is putting the specific amendment proposals to the CSAO—this Thursday morning?

Hon. Mr. Winkler: As to the proposals that we currently have, the answer is yes, Mr. Speaker.

Mr. Lewis: Well that's very helpful to the negotiations!

Mr. Speaker: Any further questions from the Leader of the Opposition?

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. R. F. Nixon: I'd like to ask the Minister of Colleges and Universities if he has examined the effect that his statement on funding for the universities is having with the various provincially-assisted universities? Has he got anything of a concrete and constructive nature to resolve the problems—the bind they find themselves in—as a result of inadequate grants, the agreement with the government that they must not raise tuition; and the statement from the Premier on Friday that he, certainly along with everyone else here, would be very much against keeping students out of the universities. Under the present grant system the more people they bring in the more money they lose.

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, first of all, I think the hon. Leader of the Opposition should recall that the grant level we spoke of is based on this year's enrolment not next year's enrolment; so that the universities know, on account of the slip-year formula as applied, the enrolment on which the grant is predicated. Of course nobody can say exactly what the enrolment will be next fall. It would appear from the pattern we have seen emerging in the last three years that there will be some, but a very modest, growth in the universities, assuming other things being equal; and particularly as far as the high schools are concerned, that a much higher proportion of the students will be going to the community colleges.

As far as any change in policy is concerned, at this present time there is none, Mr. Speaker. When I met with the college presidents and the board chairmen I indicated that, looking at the financial picture and the resources of the province, the amounts that were announced were the amounts they should plan on.

I was very interested in the letter President Macdonald of York University wrote to the Globe and Mail the other day about some sort of a short-term fund. I would mention to the House, as I think I did previously and as I did mention to the presidents, that the Council on University Affairs is presently meeting with the various institutions and will complete its tour of the 15 provincially-supported institutions on Dec. 21. With that background, I was very interested in President Macdonald's comments.

I would point out to the House that, while I don't have the figures, the universities

by prudent management do what many businesses do and have reserve funds for operating and for maintenance. I am not aware of the total of those funds at the present time, but I would suggest that it is far in excess of the amount that the deficits which the universities are predicting at the present time add up to. It may well be that the universities themselves could finance through a bank to tide them over the very real short-term financial difficulties they face while they are making plans to reduce some of their expenditures, which I am quite convinced they can in the administrative and the academic fields.

I've been rather interested in some of the comments I have read in the last few days in this connection. I think if we continue to work with the universities, as we propose to do, we will be able to sort out the problems and sort them out within the financial capabilities of the taxpayers of this province.

Mr. R. F. Nixon: Supplementary: Is the minister implying, then, that the statement made, for example by the president of McMaster that they face a $4-million deficit under this arrangement is, let us say inflated or not based on the facts as he has them?

Hon. Mr. Auld: If he is talking about his current deficit, I am not in a position to judge. I haven't looked at his books, but I have no reason to believe that he would be wrong. If he is looking at a deficit as opposed to any reserves that there may be, there may be a different answer.

Mr. Speaker: Any further questions? The member for Scarborough West.

SOUTH MILTON DEVELOPMENT

Mr. Lewis: Mr. Speaker, I would like to come back to the Minister of Housing and ask him this question: Since the Minister of Housing argued that he couldn't use the Expropriations Act—because he wasn't able to establish need, as it were, under the Act—why does the government not introduce a special Act for the purposes of land banking and provide within that Act compensation at original purchase cost, plus holding costs, without paying public money to the extent of a $1 million profit for speculative appreciation? Wouldn't that make more sense?

Hon. Mr. Irvine: Mr. Speaker, I will take that under consideration. If there is a better method to acquire lands, I would be happy to find out what it is. At the time we assembled those lands that was the best known method of assembly.

ECONOMIC SITUATION

Mr. Lewis: May I ask the Premier, Mr. Speaker: Given the serious economic dislocation in the United States, which is already having and will probably have greater spillover effect in Ontario in the next few months; and given most of the economic indicators not being very optimistic: Is there some kind of government initiative or government programme rather more extensive than winter works, which he is prepared to introduce or contemplate over the next number of months in consideration of pretty serious economic and perhaps even unemployment problems in the latter period of the winter?

Hon. Mr. Davis: Mr. Speaker, we are quite obviously keeping a very close eye on the situation. I, personally, have always taken the position, in dealing with economics, to be realistic but at the same time to endeavour to retain the confidence of the public and the business community and all of us.

Quite frankly, Mr. Speaker, I will be realistic but at the same time not speculate on what the leader of the New Democratic Party is suggesting by way of what he may feel will be a substantial downturn in the economy. There's no question, Mr. Speaker, that certainly in some industries we are very closely related to our neighbours to the south, particularly the automotive industry, and it has had some impact to date, although it has not been as great as some had anticipated and I don't think there's any indication as to what the duration of it will be necessarily.

I would only add this, Mr. Speaker, that quite obviously we are paying very close attention to it. We are very interested in seeing the economic vitality of this jurisdiction maintained; this is very basic to whatever else we do. But at the same time, Mr. Speaker, I am really not prepared to speculate on a significant downturn or recession in the economy. I, quite frankly, don't think that would serve any useful purpose at this moment.

Mr. Cassidy: What does that answer mean?

Hon. Mr. Davis: The member for Ottawa Centre wouldn't understand it anyway.

Mr. Lewis: By way of supplementary, would the Premier be prepared to advance

by a year or two certain of the major municipal projects, some of the housing programmes which are now held back for the need of capital funding, in order to create jobs to stabilize the job market over the next several months, because, the United States apart, the economic indicators show that Ontario may well be in trouble in four or five months' time?

Hon. Mr. Davis: Mr. Speaker, for a number of reasons, not just economic but social reasons as well, this government—and I think it has been very clearly demonstrated—is most anxious to move ahead with its housing programme. I think it is also fair to state that the hon. member has expressed some concern here in the past about inflation and the two can be somewhat contradictory. While there may be some public works that the government or the municipalities could undertake, we have also committed ourselves at this point to minimizing our own capital expenditures by reason of trying to reduce the effect or impact of inflation. I regret that the New Democratic Party leader's resident expert in economic matters has left the House. He could help us all with his own expertise.

Hon. A. Grossman (Provincial Secretary for Resources Development): The commodities market opens in 10 minutes.

Mr. Lewis: Which expert is the Premier referring to?

Hon. J. R. Rhodes (Minister of Transportation and Communications): The soya bean kid.

Hon. Mr. Davis: While I recognize some degree of contradiction, the policy, certainly at this moment, is that we will continue to constrain our own capital works expenditures. We think this is still the proper route to go. But as far as housing is concerned, first, it has a real impact on the economy and we want to encourage it; and second, we think there's a very real social need to be met, so the housing programmes will continue to have high priority.

Mr. Speaker: Any further questions? A supplementary.

Mr. R. F. Nixon: A supplementary, Mr. Speaker: Since the Premier, on behalf of the government, made a commitment at the federal-provincial conference a few weeks ago to restrain capital expenditure, can he indicate what changes have been made in, let's say policy or the decision to spend money? Is there any specific instance that he can think of where there has been restraint?

Mr. Speaker: That's completely away from the housing implications in the main question. If the Premier wishes to answer, he may.

Hon. Mr. Davis: Well, I will try to make the question valid, Mr. Speaker—

Mr. R. F. Nixon: I really appreciate that, both of you helping me out that way.

Hon. Mr. Davis: —by making one observation. I didn't go to the federal-provincial conference to give a commitment to reduce capital expenditure.

Mr. R. F. Nixon: But he did.

Hon. Mr. Davis: We had already made that policy determination here and had said so publicly. What we said to the federal government was, "It's time that you, as a federal jurisdiction with some leadership responsibility, followed the same policy—"

Mr. R. F. Nixon: Oh, yes.

Hon. Mr. Davis: "—that we are following here in the Province of Ontario." That's what was said to the federal government. It was said, I think, very pleasantly, but also very clearly.

I think it is fair to state, Mr. Speaker, I've listened to the hon. member for Grey-Bruce (Mr. Sargent) and others who talk about the significant capital projects in the health field and the educational field. If the hon. Leader of the Opposition isn't aware of some of the capital constraints, I've got a list as long as my arm I would be delighted to send over to him.

Mr. Speaker: The hon. member for Scarborough West, a further question?

Hon. Mr. Davis: There may have been one or two in the Leader of the Opposition's riding, I don't know.

Mr. R. F. Nixon: There has been no change there. The government is still spending nothing in Brant.

Hon. Mr. Rhodes: Here now; that is not right.

Mr. R. F. Nixon: Oh, roads and Rhodes; fine, both kinds.

Mr. Lewis: I'm told the government is spending mightily in Scarborough West, albeit for other reasons.

RESOURCE TAXATION

Mr. Lewis: May I ask of the Premier, has he thought of taking up the percentage area which the federal government has vacated and left to the provinces, in resource taxation in particular? I guess it would be up to a 15 per cent abatement which the provinces could occupy should they wish.

Hon. Mr. Davis: Mr. Speaker, I recognize that the leader of the New Democratic Party has a thing about the resource industry. We're looking at a number of things, quite obviously, but we're not looking at measures that will further inhibit the resource industry in this province.

I think it is fair to state, Mr. Speaker, and I guess has to be stated again, that the resource industry forms a very important economic aspect of the life of this province. We want the taxation to be equitable, but at the same time we don't want it to be inhibiting. While I recognize the leader of the New Democratic Party has a very simple solution, and that is the nationalization of most of the resource industry, Mr. Speaker, that's not the route we're going.

Mr. Speaker: Further questions?

Mr. Lewis: Oh of course we're not going that route either, but if the Premier wants to lay his groundwork let him go ahead, nobody's paying any attention to that.

Hon. Mr. Davis: Oh come on. Who is the member trying to kid?

Mr. Lewis: The Premier is going to have to do a lot better than that to regain his credibility.

Mr. D. C. MacDonald (York South): It is Lougheed who is going that route, Lougheed and Frank Moores.

Hon. Mr. Davis: Who are the members kidding?

Mr. Lewis: Is the Premier telling us here that the taxation of the resource industries in Ontario over the last several years and even this year is considered equitable compared to how the government taxes individuals and families in Ontario? Is that what he is trying to tell us?

Hon. Mr. Davis: Mr. Speaker, I say that in the year 1974 we feel the tax on the resource industry is equitable.

Mr. Lewis: Fine, okay. Glad to have it on the record.

Mr. MacDonald: By definition, it wasn't before 1974.

MINERAL PRODUCTION STATISTICS

Mr. Lewis: May I ask one question of the Minister of Natural Resources? Why have we not received the up-dated statistics on mineral production in Ontario over these last three or four years, including the taxes paid and reported by the mining companies? I believe he promised the 1970 report. I have the 1969; are the 1970 or 1971 or 1972 reports out?

Hon. L. Bernier (Minister of Natural Resources): Yes, Mr. Speaker. Those facts and figures are available and I'd be glad to get the information for the hon. member.

Mr. Lewis: Where?

Hon. Mr. Bernier: Through the Queen's Printer.

Mr. Lewis: Where are they? Are they in published form?

Hon. Mr. Bernier: There was a Management Board order about three years ago that we refine and modify our presentation as an economy measure. The member will note there have been some changes in the annual reports. These figures are still available and I will make sure they are available to the member. But they're not being published in the same way that we did in the past.

Mr. Lewis: I see. How is it that the refinements and the economy in the publication of figures manage to omit the taxes paid and reported by mining companies? Is that the way the minister works out his economies in the Ministry of Natural Resources, to fit the equity the Premier talks of? Why aren't the statistical reports up to date for, say 1973?

Hon. Mr. Bernier: Mr. Speaker, I just said that the information is available and if the hon. member is interested I would be glad to make it available to him.

Mr. Lewis: Thank you. No further questions, Mr. Speaker.

Mr. Speaker: The hon. member for Downsview.

SOUTH MILTON DEVELOPMENT

Mr. Singer: Mr. Speaker, I have a question of the Minister of Housing. Could the Minister of Housing explain why he laid such great stress on comparative purchases in Concession 1? Concession 1, I would presume is Mississauga, isn't it? It isn't a new survey? Why this stress when the particular properties we are concerned about and the ones he deals with—the ones we asked about—are in Concessions 6, 7 and 8 and apparently not in this vicinity at all?

Hon. Mr. Irvine: Mr. Speaker, I said in the areas adjacent. That was what I was relating to, to indicate to the hon. member for Downsview that the prices were escalating in other areas much more rapidly than possibly in that area; but it is a comparative price.

Mr. Singer: By way of supplementary: Could the minister give us an approximate location of these lots in Concession 1? How far south and how far east are they of the lands that we have been asking the minister about over the last 10 days?

Hon. Mr. Irvine: Mr. Speaker, I think the hon. member for Downsview knows full well where the lands are. I think we can go round this merry-go-round for a long time; but I am not going to go into a witch hunt on every darn thing that the member mentions. The areas were mentioned and the properties were mentioned. The member had the research facilities himself to find out if my statements were not right; I think he can find out.

Mr. Singer: By way of one more supplementary: Are the lots in Concession 1 that the minister referred to reasonably available to a water supply; when the lots in 6, 7, and 8 are perhaps 25 years away from a water supply

Hon. Mr. Irvine: Mr. Speaker, I have no comment on that.

Mr. Singer: I didn't think the minister would.

Mr. Speaker: The member for Wentworth.

H.O.M.E. PLAN PRICES

Mr. Deans: Could I ask a question of the Minister of Housing, please?

Why has the Ontario Housing Corp. changed its policy whereby previous purchasers of Ontario Housing Corp. HOME units were able to acquire the land at the end of five years at the price that was set at the time of original purchase, to a policy whereby they must at the end of five years pay the current market value as reflected by sales of private homes in the surrounding area?

Mr. E. J. Bounsall (Windsor West): Does he pay speculation taxes?

Hon. Mr. Irvine: Mr. Speaker, I think it is very obvious that it makes it more equitable for all the people who are subsidizing housing, or subsidizing land, or subsidizing any acquisitions in the Province of Ontario.

Mr. Deans: They are not subsidizing it.

Hon. Mr. Irvine: If we have moneys provided for housing, why shouldn't the person at the end of five years pay the market value for that land, rather than the market value of five years before?

Mr. Deans: May I ask a supplementary question? What possible good does it do to the inflationary spiral that is affecting the land to enter into an Ontario Housing Corp. subdivision with the prospect of being able to hold prices down, when in fact one ultimately has to pay the same price anyway?

Mr. Lewis: That's an unanswerable question; that's what the minister did in Milton.

Mr. Deans: That's what he is doing and that's why he is in the game of speculation.

Mr. Speaker: The hon. member for Welland South.

WORKMEN'S COMPENSATION BOARD

Mr. Haggerty: Thank you, Mr. Speaker. I would like to direct a question to the Minister of Labour.

Could the minister indicate to the House when the Legislature will have the opportunity to question the cost and present procedures relating to the operations of the Workmen's Compensation Board?

Mr. Deans: We asked that last week.

Mr. Haggerty: Yes, but we haven't had an answer yet.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, this, I think is the first time that question has been asked.

Mr. Deans: No, it was asked of the House leader last week.

Hon. Mr. MacBeth: Well, in any event I have the answer. I was speaking to the deputy clerk a few moments ago, sir, and he is preparing the necessary resolution that I should move, to refer it to a standing committee—and as soon as we get together, that will be done.

Mr. Speaker: The member for Sandwich-Riverside.

FLASHING LIGHTS ON SCHOOL BUSES

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Minister of Transportation and Communications regarding flashing lights on school buses: Is the minister considering changes in legislation to give discretion to school boards and/or local school bus drivers to determine when local traffic conditions warrant the use of flashers?

Hon. Mr. Rhodes: Mr. Speaker, there will be new legislation introduced in the House very shortly. I don't believe there are any changes even contemplated in that area. That discretion has always been there, in that the requirement of the motorist is to stop when the lights are flashing. Bus operators do have that discretionary power, if you will, at the present time.

Mr. Speaker: Any further questions? The member for St. George?

CONDOMINIUM PROJECTS

Mrs. M. Campbell (St. George): Mr. Speaker, I would like to ask the Minister of Housing: Following a question I asked before in the matter of condominiums, is it the practice of the Ontario Housing Corp. to send officials to meetings of the homeowners' association prior to takeover to advise them of the policy of Ontario Housing that they will not take over a deficiency when those same homeowners are asking for an audited statement of accounts?

Hon. Mr. Irvine: Mr. Speaker, I'm not aware of the matter to which the member is specifically referring, but I would hope that the officials of my ministry contact everyone possible on any particular subject so that the people are aware of what our policy is. If the member has some specific reference she wishes to bring to me, fair enough, I'll look into it. But I think that the more we communicate, whether it is with ratepayers' groups or with owners in any project associated with our ministry, the better it will be for all concerned.

Mrs. Campbell: A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary, yes.

Mrs. Campbell: Having heard that answer, may I ask why they would send someone in to make that statement when the homeowners couldn't get clarification from OHC of that policy and when the then minister, on June 13, advised that that was not the policy of OHC, so that it took from December to June for the homeowners to find out what the policy was?

Hon. Mr. Irvine: Mr. Speaker, I am not saying that what the hon. member has said is right or wrong. All I'm saying is that if there was a matter of poor communication, surely it's up to us to try to adjust that. And I think that is what the ministry was trying to do.

Mr. Speaker: The member for Wentworth.

HIGHWAY 6 CORRIDOR STUDY

Mr. Deans: I have a question of the Minister of Transportation and Communications. Can the minister explain why it would be that the study group studying the alternatives for what is called the Highway 6 Nanticoke-to-Hamilton corridor study would be holding a public meeting tomorrow night without ever first having met with the local councils in the area to discuss the proposals they're going to put forward?

Hon. Mr. Rhodes: Mr. Speaker, I'm not aware of that particular public meeting and I would have to agree. I would feel that the elected representatives in that area most certainly should be contacted before any general public meeting is held.

Mr. Deans: May I ask the minister if he would inquire of Mr. Radbone, who is the senior project planner, whether it is his intention to meet between now and tomorrow morning with the Glanbrook council, for example, since all of the routes that are being offered go through that municipality and they have not yet had the opportunity to express any opinions?

Hon. Mr. Rhodes: Mr. Speaker, I most certainly will. I said I concur with the hon.

member's opinion and I will look into that immediately.

Mr. Speaker: Are there any further questions? The member for Essex-Kent.

AMHERSTBURG JUVENILE DETENTION HOME

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question of the Attorney General, although I think the Minister of Government Services (Mr. Snow) may be involved in it. Does the Attorney General's office look after the recommendations of the grand jury with regard to juvenile detention homes? If so, have the nine recommendations, or any of them, been rectified since the grand jury gave the report of four months ago on the home near Amherstburg in Essex county?

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, certainly the reports from the grand jury do come to the Ministry of the Attorney General. I haven't got the response to that specific question, but I will take it as notice and provide the member with that information.

Mr. Speaker: The member for Ottawa Centre.

BILINGUAL PERMITS AND LICENCES

Mr. Cassidy: Thank you. I have a question of the Minister of Transportation and Communications. Is the minister now satisfied that it is possible to have bilingual driver's licences and motor vehicle permits in the province and that the information can, in fact, be put on the ambit of a form of the existing size? If so, is that the intention of the government?

Hon. Mr. Rhodes: Mr. Speaker, anything is possible, but I will also point out I believe I did state in response to a question asked by the hon. member earlier that it is our feeling at the present time that we are not able to put both languages on the existing form. It would require a new form and my officials are looking into what implications there are. I can say that we may run into some real problems with this, especially in attempting to computerize the whole system to handle the bilingual licences.

Mr. Cassidy: A supplementary, Mr. Speaker: Since this has been done in Quebec where for many years the forms have been bilingual, will the government move within the forthcoming year to make a declaration of policy and take some action on behalf of the 800,000 French-Canadians who live here in Ontario and have lived here for an awfully long time?

Hon. Mr. Rhodes: Mr. Speaker, we are looking at that present possibility; but as I state it it is a possibility.

Mr. Speaker: The member for St. George.

HIGHWAY 404

Mrs. Campbell: Mr. Speaker, I have a question of the Minister of Transportation and Communications. Now that the city of Toronto council has expressed its concern about the effect on the Don Valley expressway of the proposed extension north, has the minister met with the council? Has he advised them of any proposal Mr. Cass has made for ingress and egress at the lower end of the Don Valley or its offshoots?

Hon. Mr. Rhodes: Mr. Speaker, I have not met with any representatives of the city of Toronto. This is the first interest the city of Toronto has shown in this particular area. Prior to that I had met with officials of a number of municipalities further to the north who had indicated interest.

I may be mistaken, but I do believe representatives of the city of Toronto so far are simply making their feelings known to the Metro executive council. They have not communicated anything directly to me.

Mr. Speaker: The hon. member for—one supplementary.

Mrs. Campbell: Mr. Speaker, if the minister is aware of their concerns now, and I believe I brought it out at the estimates, would he not think it would be important to get in touch with them to find out what their concerns are?

Interjection by an hon. member.

Hon. Mr. Rhodes: Mr. Speaker, if the city of Toronto council does have concerns—and I'm assuming from the reports in the press that they do have—then I would think they would have communicated with me, rather than simply going through the news media. I am waiting for them to contact me. I will not simply pick up the newspapers and call the mayor of Toronto. If they have some concerns, I'm sure he's competent and capable enough to communicate with me.

Hon. Mr. Grossman: They are not even talking to each other in city council.

Mr. Speaker: The hon. member for Scarborough West.

TREASURER'S TRIP TO MIDDLE EAST AND EUROPE

Mr. Lewis: Mr. Speaker, a question of the Treasurer: well, tell us about it.

Hon. J. White (Treasurer, Minister of Intergovernmental Affairs): Mr. Speaker, I'm glad to have the opportunity to do so.

Mr. Cassidy: The sheik of Araby.

Hon. Mr. White: My officials and I were away for 12 days, we had several dozen meetings in London—

Mr. J. R. Breithaupt (Kitchener): All inside.

Hon. Mr. White: —Kuwait, Dubai, Abu Dhabi and Paris. Everywhere we went, sir, the name and fame of Canada had preceded us and everyone we talked to knew of the high repute of Ontario—

Interjections by hon. members.

Mr. Lewis: They talked about his triple-A rating.

Hon. Mr. White: —and of its triple-A rating.

Interjections by hon. members.

Mr. Lewis: I missed the Treasurer, if no one else did.

Hon. Mr. White: The revised figures for Ontario Hydro Electric Corp.'s needs have been increased. This year they borrowed $770 million in the United States and Canada; their new figures for 1975 are $1.4 billion and for the next 12 years they are $30 billion.

Mr. Breithaupt: That is progress.

Mr. Deans: Getting a little oil money back.

Hon. Mr. White: So we will attempt to utilize every capital market in the world available to us at reasonable terms and conditions, and I am confident that we can utilize that mid-eastern capital market to some extent, perhaps beginning in the first quarter of 1975.

Mr. Lewis: By way of supplementary, exactly how much did the Treasurer in fact negotiate, in cash or goods or booty or whatever?

An hon. member: No booty.

Hon. Mr. White: Exactly nothing, because I didn't expect to.

Mr. Lewis: Exactly nothing. That is a nice 12-day trip; what about the opposition going?

Hon. Mr. White: We did introduce ourselves. We did explain the needs of this province, the credit-worthiness of this province, the Ontario Hydro Electric's expansion—

Mr. MacDonald: The Treasurer was treading in Caesar's steps.

Mr. Cassidy: They knew about it, yes.

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. White: —the Ontario government's debt reduction programme; and we did learn how the markets work and we did learn which financial intermediaries were trusted and effective in that area.

Mr. Lewis: The Treasurer could have done that at home.

Mr. Deans: That could have been done at home.

Hon. Mr. White: We will, within the next 10 days or so, decide which financial institutions should be utilized as we come to the detail of floating an issue there for Hydro.

Mr. Breithaupt: Any sugar and spices?

Mr. Lewis: Okay.

Hon. Mr. White: I made it abundantly clear to anybody who showed any interest in the trip before I left that we were not going down to make a fast deal.

Mr. Cassidy: Did the Treasurer go scuba diving in the Red Sea?

Hon. Mr. White: That we were going down to explore the possibility of establishing a long-lived, two-way relationship involving capital from that part of the world and perhaps some Ontario technology in the mid-east and in the developing world.

Mr. Deans: Something like the pipeline.

Mr. Speaker: Further questions?

Mr. R. F. Nixon: Did the Treasurer investigate the possibility of further investment from these sources in the private sector here? Evidently there is a lot of that money coming into private development.

Hon. Mr. White: No, I did not, although it was curious to learn that large sums of

money are going into speculative land purchases in Montreal and other parts of Canada —those having been effectively deflected from Ontario by our land speculation tax and land transfer tax.

We had with us, I'm glad to say, His Excellency, the Canadian Ambassador, James George, for the visits in Kuwait; and we had for all of the visits the company and the assistance of Mr. John Bailey, who is the trade counsellor working out of Beirut in that part of the world.

While it wasn't our principal intention, we did find that the two objectives I have mentioned to the member, that is, capital out and technology in, were augmented by development of possible new markets for Ontario and Canadian goods and services.

We have been rather successful in selling consulting services down there. I think there are 85 Canadians in Abu Dhabi alone. The day we left, as members will see in the paper, project planners of Toronto were successful in getting a $500-million award in Saudi Arabia to build a new university. There has been a fair amount of Canadian activity, particularly in the service sector. The visits we had in company with these two federal officials, I do believe will open up some of these markets to a much greater extent.

The Canadian ambassador and the trade counsellor were simply delighted to have been part of a ministerial mission, because quite frankly, without undue immodesty, I don't think that would have been possible had we not had a mission of this stature and size. I will be glad to give a full report, sir, now or at some other time.

Mr. R. F. Nixon: Tell us about Paris the next time.

Mr. Speaker: Any further questions? The question period has expired four minutes ahead of time.

Mr. Deans: I want that saved for tomorrow.

Mr. Speaker: I will take it under consideration, but the answer is—

Petitions.

Presenting reports.

Motions.

Hon. Mr. Winkler moved that on Thursday, Nov. 28, following the question period, the standing social development committee meet concurrently with the House to consider Bill 72, the Education Act, 1974.

Motion agreed to.

Mr. Breithaupt: Mr. Speaker, before the orders of the day, could the House leader be good enough to advise us what we might be doing on completion of Bills 134, 136 and 155, which I expect we might be on to this evening?

Hon. Mr. Winkler: I expect to give the order then for the balance of the week, Mr. Speaker. I just hesitate to do it at this moment without firm commitments, but I certainly will do it.

Mr. Speaker: Orders of the day.

Clerk of the House: The 23rd order; resuming the adjourned debate on the motion for second reading of Bill 134, the Employment Standards Act, 1974.

EMPLOYMENT STANDARDS ACT
(continued)

Mr. Speaker: The hon. member for Windsor West was speaking when we adjourned last.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Speaker. When I adjourned the debate on Friday, I was commenting on the disgraceful situation of a new Employment Standards Act which makes no substantive changes whatsoever in the termination of employment section of the Act. This was the opportunity to increase the length of notice to employees; but there have been no changes and no increase by this minister. It should have gone to one month after one year, as in the Province of Quebec, two months for the period one-to-two years, three months for the period two-to-five years, and six months for more than five years.

I will not present the arguments in detail on that except simply to state that the long-term employee with the psychological shock of having been terminated, the adjustment he needs to make and the retraining he needs to find, with his skills heretofore appreciated and now obsolete, needs that six months' termination notice or pay in lieu of termination. It is a disgrace that nothing has been done to increase the length of notice time given to employees. Here again was the chance for the mass layoff notice, currently at 50, to be reduced to a reasonable number, such as 10 in the provinces of Quebec and Manitoba, but this minister has chosen not to make any change in the mass termination notice figure.

Nothing has been done about covering workers terminated while on strike, in spite of the advantage being taken of this section

of the Act by employers such as at Acme Screw and Gear.

No extension has been made where plants are closed down under any statute of the Province of Ontario, and not just that section relating to the Environment Protection Act. A worker should be entitled to termination pay because of a closure under any statute of this province, and not just because of a closure under the Environmental Protection Act.

There should be the establishment of a termination pay insurance fund so that under termination for bankruptcies or in a receivership situation, the employees would receive all of their wages, vacation pay and termination pay entitlement, irrespective of whether the Bankruptcy Act is changed to make them the No. 1 creditor. That does not guarantee that they would receive all of those benefits. Such an insurance fund would also ensure that it came immediately and not after the long delays in sorting out the receivership and the bankruptcy.

The minister mentions that his ministry is having some talks with the Unemployment Insurance Commission related to termination pay. Well, it had better not be, I say to the minister, a lessening or a dropping of the termination pay provisions in this Act, inadequate though they may be at the moment, because termination pay comes wholly from the employer, and not just two-thirds, or three-quarters if you have dependents, which is the pay received under the Unemployment Insurance Act. The pay comes entirely from the employer, and not partly from the employee and partly from the employer or from the general taxpayer, which is from whence the UIC payments come.

In talking with the Unemployment Insurance Commission, with respect to and with relation to the termination pay sections, we would hope that the minister will not be talking in terms of any lessening or throwing away of the inadequate provisions in this Act but, in fact, in terms of the federal government decreasing the waiting period and in terms of Ontario's attitude to the waiting period that exists under the Unemployment Insurance Act. That is where the minister's emphasis should be falling on behalf of the workers in Ontario, and not on any decrease of the termination section of this Act. This is, of course, of very great interest around the province now because of the high unemployment in the auto industry, where subsidiary unemployment benefits cannot be collected immediately because of the waiting period under the Unemployment Insurance Act.

On behalf of all those people employed in the auto industry in Ontario—and in excess of 40 per cent of the employees in Ontario are associated with the auto industry—the minister should be having discussions with the Unemployment Insurance Commission about seeing that all unemployment insurance benefits are increased and made available, particularly to that group of auto workers in the Province of Ontario.

Another part of the termination section which needs some real scrutiny, it really appears in the regulations but we should be discussing it when this bill goes out of the House to committee and we should be tabling the regulations with respect to this section. I refer to the situation of temporary layoffs for 13 weeks and the abuses by employers of that section of the regulations.

I have had more than one situation come to my attention in connection with the Canadian National Institute for the Blind and the blind and sighted employees they hire. Their practice seems to have been to lay off an employee—temporarily, of course—and to call him back after 12½ weeks, if it's in a large city, to another location in the city at a far distant point from where that person lives. Blind and sighted as he is, he cannot find his way to that location very easily, so he finds that he must turn down that employment; as a result he is terminated, of course, with the employer not having to pay any termination pay whatsoever. Or they make him or her that offer of another job, one which they feel that they cannot do and at lower pay. When the refusal of that job comes, they have, of course, offered them another job within that 13-week period. The job offer is such that the employee has to turn it down and, therefore, the company gets off scot-free in terms of paying any termination pay whatsoever.

Perhaps that can be covered in the regulations. It certainly cries out to be covered in the regulations when a person's job is terminated. If there is any suggestion at all that a re-offer before the 13-week period is over is at another location or is at a decreased rate in pay or is of a vastly changed job make-up such as to cause that employee to have to turn it down, the employer should then pay the termination pay as provided under the Act.

There are several other sections of this Employment Standards Act which cried out for amending and which could have been amended in this new Act but aren't. One of them is the minimum wage. BC is now paying $2.50 an hour; Alberta, as of Jan. 1,

will be paying $2.50; and as of Jan. 1, Manitoba and New Brunswick will be paying $2.30. Isn't the minister happy to see Ontario tied for sixth place with Saskatchewan for the minimum wage, as of Jan. 1? This is set by regulation. But our party's policy and stand are that in the minimum wage section of this Act a formula should be used; a formula should be inserted whereby the minimum wage is related to the average industrial salary paid in the Province of Ontario. This would be a formula similar to the Manitoba formula where this is, in fact, applied.

I would suggest for Ontario that in this section there was the opportunity to introduce a formula, and a very simple one, saying that the minimum wage in Ontario will be 60 per cent of the average of the salaries and wages in Ontario, adjusted periodically—and better quarterly than semi-annually. If that was the case as of last July, Mr. Speaker, the minimum wage in Ontario would be $2.73 an hour, which is equal to 60 per cent of the average of salaries and wages in the industrial sector. That average industrial sector wage includes all of those currently on the minimum wage, so it is really an unrealistically low figure. As of July, including those on minimum wage in that industrial average, if Ontario had a formula paying 60 per cent of it, which should be adjusted periodically, the minimum wage in July would have been $2.73, and not the current one which was changed last October to just $2.25.

As for vacation with pay, there was an opportunity here, Mr. Speaker, to have introduced some meaningful changes into this Act. In this new Act, under vacations and vacations with pay we have the provision that the employer shall give to each employee a vacation with pay of at least two weeks upon the completion of each 12 months of employment or the equivalent of that, four per cent of his salary, if vacation pay is given in lieu of vacation with pay. There is no provision thereafter.

This is a minimum Act that we are dealing with, Mr. Speaker, which means that that is all the protection guaranteed under this Act to employees, irrespective of how long they have worked at their place of employment. This was the opportunity to have introduced three weeks after five years and four weeks after 10 years, which aren't very much even at that for employees in the Province of Ontario.

This was a place, Mr. Speaker, to have introduced a completely new concept. It is of particular importance to the older people in our community that there should be a leave of absence, given as a right, equal to the amount of vacation which an employee has earned. With the way in which our economy has been fluctuating, one finds that many employees change jobs or are forced to change jobs in the middle of their working life. At that age when they should, in their normal employment, be enjoying three, four or five weeks vacation, under this Act they are back down to the minimum of two weeks. Giving them a leave of absence—not requiring it with pay, a leave of absence without pay, equal to their vacation benefits—would allow them to continue the normal vacations which they so justly and rightly need.

Here is the opportunity as well in this section to make it very clear when vacation pay should be paid. The provision should be very clear that vacation pay shall be paid not later than the beginning of the vacation period or periods, rather than the situation—which is not widespread but still occurs in the Province of Ontario—where someone goes off on vacation and receives pay at the end, or in some other instances doesn't know when he is going to receive his normal pay for that vacation period for which he has a right to receive pay.

On the subject of overtime pay, as of Jan. 1, the change in the Act which the minister made last June will come into effect, in which overtime pay will start after 44 hours. Here, again, this was a time when we could have amended that, Mr. Speaker, in this entirely new Act, particularly when the federal government, BC and Saskatchewan's overtime pays start after 40 hours and Newfoundland has this for their shop assistants. Ontario is happily tied again with Alberta and Manitoba in sixth place, in terms of when overtime pay must start in this province.

The minister has indicated that the bill will go to committee outside the House. This is a welcome announcement from the minister. When we get to that committee this must be a time when we look at the exemptions to this Act as they are contained in the regulations. There has been a group within the ministry looking at the exemptions. They worked very hard on it during the summer. We understood, during the discussion of the estimates, that the minister had on his desk the final memos on what should be the disposition of the exemptions that are contained in the regulations. This would be an opportunity, and it really begs for it to be done,

that when this bill goes to committee to look at this particular Act that accompanying it would be the minister's thoughts and decisions upon the exemptions that are going to occur in the regulations. If he doesn't have final thoughts, then at least the memos relating to all this should be looked at and reported at the same time in a very frank and what would be a productive discussion of the exemptions.

There are many which don't make much sense. There was a private member's bill debated here a week ago today, introduced by a member of the minister's own caucus, which would look at the situation of superintendents, janitors and caretakers who live in the same building. They are exempted from the hours of work, the overtime pay and the minimum wage provisions. None of that seems very reasonable.

The amount that a person pays for an apartment is well established, the hours of work can be established, and there is no reason why he should be allowed to be paid beneath the minimum wage. He is not exempted from vacations or vacation pay, pay in lieu of vacation. The problem is that people caught in this situation, with the hours of work being set for them, really find that they cannot get away with their family for a vacation. If they go away one of their family must cover, or if their family goes away they must work doubly hard for it, because another building superintendent substitutes in their particular apartment building. This whole area needs cleaning up.

Salesmen other than route salesmen who receive all or part of their remuneration from commissions are also exempted from the same three provisions, but they are also exempted from vacations with pay. I have mentioned this to various Labour ministers before; to this minister and to the previous minister. It doesn't at all seem realistic that when a salesman who receives part of his remuneration as salary and part as commission should be exempted from vacation pay for that portion of his remuneration which comes from salary.

Farm workers are exempt from them all—hours of work, overtime, minimum wage, vacations, and so on. I understand that there is a report on the minister's desk relating to the farm work study done by the research branch of his ministry, and that it is a joint report to the Minister of Labour and the Minister of Agriculture and Food (Mr. Stewart). They are exempted from virtually everything in this Act, Mr. Speaker. I would hope at the committee stage the minister will indicate exactly what his thoughts are and those of the Minister of Agriculture and Food on the farm workers situation in this province. The material of the study should be published immediately, as well.

Let's not get into the rather thorny problem, for the moment, of the part-time farm worker or the migrant farm worker. But with full-time farm workers, what possible reason is there for them to be exempt from the minimum wage over the course of a year? Or from vacations? Or from vacation pay? Or from holidays equal to what is granted under the minimums under this Act to other persons in this province?

What percentage of full-time farm workers get a paid vacation, Mr. Speaker? What percentage don't get one at all? What percentage get a vacation less than what is provided in the Act for other workers in this province? Does it amount to 2 per cent or 30 per cent —or what is the figure there? It shouldn't amount to any; but if it's anything like 20 per cent or 30 per cent, then this is a deplorable situation.

What about the full-time holidays, holidays equal to what is granted to other workers in this Act over the course of a year for full-time workers? The Act allows other days to be substituted for it. What percentage of full-time farm workers don't get any holidays? What percentage get less than what is granted in the Act to other workers in this province? There shouldn't be any, and there's no reason why they should be exempted at all.

Mr. Speaker, in concluding my remarks about this Act, there's one thing which is very clear to me. The minimums in this Employment Standards Act are, in fact, maximums for many employees in this province. The minimum wage is a maximum wage for many employees in the unorganized sector in this province. The holiday provisions, the vacations with pay section and vacation pay are not minimums in that sense; they're maximums for many employees in this province.

By not increasing these or providing some fairer minimum wage in this province, the minister is saying he's quite happy to have those employees working under the maximum conditions laid out as minimums in this Act.

And the maximums in this Act are, in fact, minimums for a great many unorganized employees. The hours of work provision which the minister is content to see stand at 48 is, in fact, the minimum number of hours that many employees in this province work. The overtime pay, not starting until after 44 hours, is the position at which most unorganized workers in this province find themselves. The

two-thirds of the work force which are organized certainly would not get overtime pay starting before the 44 hours. The minister is happy to go along with this situation. I say to the House that this is a deplorable situation.

But it is not nearly so deplorable as the one provision in this Act which the minister deleted from the old Act; and that is withdrawing the right of a female employee to request transportation home between the hours of midnight and 6 o'clock. When this bill goes to committee, Mr. Speaker, I'm sure we will spend some time on this deletion. We would hope that by the time this bill comes back in the House that entire provision, which is an extension to all employees when they feel they have the need of it, related to the public transportation system, will be back in this House.

Mr. Speaker: Is there any other hon. member who wishes to take part in this debate?

The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): I have just two brief comments that I would like to make on the amendments to the Employment Standards Act and they arise out of two particular problems that were brought to my attention very recently. One was just at the end of last week, when a young woman was given notice by her employer that as of Dec. 31 her employment would be terminated, with no reason and no explanation given. There was no question about her competence on the job.

When I phoned your labour standards branch I was advised by them that the only requirement under the Act as it is presently written is that they serve four weeks' notice. I see nothing by way of an amendment that would change that provision in the Act, and other than through the Ontario Human Rights Code and through the intervention of the Human Rights Commission, unless he could prove discrimination, there is no recourse for a person whose service is being terminated.

Now, if the job were to have disappeared as the result of some reorganization or something of that nature, one could readily understand why the employer should be given that right, but under the normal course of events I see no reason why an employer should be able to terminate the employment of an employee unless the job itself, to which they were assigned, were eliminated or done away with through some technological innovation or something of that nature. What I am really saying, Mr. Speaker, is that it is not that I object to what is in the Act, in this particular instance; it is what is not in the Act by way of protection for an employee.

The only other thing that I would like to mention in connection with the Enployment Standards Act is that there is a provision in it for equal pay for equal work as between male and female and, in a very vague, very general reference with a major qualification, equal pay for equal work among people of the same sex. There again it is discretionary, inasmuch as it is quite possible to have somebody working on the surface in the construction industry doing a particular job and an employee doing the self-same kind of work in a hole 10 or 12 ft down and they can say that because it is left to the discretion of the employer they deem it to be not the same kind of work.

I even had an instance this summer where they changed the classification of an employee —it was new to me— to a "labourer-helper." It is the first time that I have ever known that a labourer had to have a helper. They are either helpers to someone who is skilled in a particular trade or craft or they are both labourers, but it seems to me that it was just a way of circumventing the Act by creating a new category or classification by suggesting that because someone was a labourer he was worth $3.25 an hour, and because he was a labourer-helper, they could pay him something less, something about $3.

This is happening. It was brought to the attention of the employment standards branch and, of course, they said it was left up to the employer as to who was best qualified to do a labouring task. I realize that any task, however menial, requires a certain amount of training and a certain amount of getting used to, but when one is on the business end of a shovel it doesn't take one all that long to become proficient, so I think it's just another instance where certain employers are taking advantage of a situation in order to pay less for an honest day's work, or an honest hour's work. Those were the two things that I wanted to draw to the minister's attention, Mr. Speaker, and hopefully, when he's looking at the Act another time and undertaking to amend it, or make some form of change, he will take those two things into consideration.

Mr. Speaker: The hon. minister.

Hon. J. P. MacBeth (Minister of Labour): Thank you very much, Mr. Speaker. I just have a few general remarks before I deal with the specific remarks of the three members who have spoken on the bill

First of all, I think all of the opposition members who have spoken are in favour of it. Their concern is that it doesn't go far enough. As Minister of Labour I would like to be able to grant all of the things that they are requesting, but the philosophy that bothers me on all of this—which at least the NDP supporters seem to adopt—is that it's industry that picks up the bill for all of these things. I think we all know that is not the case; that when anything may be given in the way of increased benefits it's the whole economy that picks up the bill. It's you and I and the ordinary citizen who have to bear the expense of these greater benefits that we want to pass on to the employees of the province. So I sympathize with their suggestion that we should do more.

Mr. Stokes: Yes, but the minister must realize that it's the people on the lowest end of the totem pole who don't have the economic strength to bargain.

Mr. Speaker: Order, please.

Hon. Mr. MacBeth: I appreciate that, and I say we want to go further, but it's a case of the whole economy bearing it and it has to be done in some sort of step by step process. We've gone one step further here in this legislation, and the comment of the opposition is that the step is not great enough. I appreciate those thoughts.

The member for Welland South (Mr. Haggerty) regretted that the time after which overtime would be paid has only gone from 48 to 44 hours. At least that's the proposal. Here again our problem is dealing with many specific cases as opposed to general legislation. The member himself mentioned the seasonal work problem. He specifically mentioned highway construction. We all know that in highway construction they have a longer work season than they used to have, but it's still a relatively short period.

I think over the years the pay of many highway workers has reflected the fact that they weren't full-time workers the year round. Perhaps during the season they received a little higher rate than people doing similar work in industries that were full time. So, there may be some reflection in their basic pay scale of the fact that they do seasonal work, and they're quite happy to work long hours when the weather is good so that they can build up as many hours at the regular rate as possible. However, I know what the member is saying: that 44 hours is a pretty long week. If I may be allowed a personal comment, Mr. Speaker, one summer I worked in the construction field, in highway construction, and I remember one week in which I put in 72 hours. That was all at the regular hourly wage, which was a pretty good wage.

Mr. Stokes: I'll bet the minister didn't agree with that.

Mr. R. Haggerty (Welland South): He does not want to be told.

Hon. Mr. MacBeth: I guess maybe the truth was I didn't know any better in those days, but those were the terms. I'm just suggesting that we've come a long way from those war years. Of course, the war was on and that made a difference too. Many people were putting in long hours then; but it was a 72-hour week that I was paid for.

The member for Welland South raised the matter of bankruptcy, and we dealt with it in discussions before. The member for Windsor West also dealt with that. Certainly, I'd like to have a solution. I don't believe, however, that we should be getting into a field that, at least in my mind, is so clearly that of the federal authority; that is, bankruptcy. We are watching with interest the fact that they have such legislation in British Columbia; my understanding is that it has not been challenged as of yet, and certainly if it is not challenged shortly, that may change our own position or own views in regard to it.

With some concern, and some interest as well, I noted the comments of the member for Windsor West in regard to pregnancy leave and his suggestion that perhaps we should have paternity leave that the men could benefit from as well. I know his thoughts in this regard, that perhaps the man could be as much help around the house after the arrival of a new child as the woman. In all of these things, however, when we are making progress in these fields of innovation, I think we've got to move not much faster than the general public will permit us to move. I'm not so sure that we have sold the general public on the full benefits of pregnancy leave, let alone getting into maternity leave. I think that if it involves a little education of the public, if that is the right way to go, then it requires more education and acceptance by the general public.

Mr. Bounsall: We will look forward to seeing it later.

Hon. Mr. MacBeth: It may be; but, as I say, we can't get too far ahead of what the majority of the public are ready to accept and, in fact, what they want.

Night transportation is one matter that causes me considerable problems, Mr. Speaker. My answer to it is that our efforts should be geared to making our streets safer for everybody, rather than to some means of avoiding the streets. I think that's what we have to do. There are suggestions being made that this works against women because we have clauses in our legislation which state that you can't discriminate against women. Some women are suggesting that because that law is there, it is more difficult for them to get employment after 12 o'clock at night or in the night hours. Now, that may or may not be, but that is one thing they have used. Other shifts are ending at 11:45 p.m., or just before the night transportation comes on, as a means of avoiding it.

Mr. Bounsall: That is why we should tie it to transportation.

Hon. Mr. MacBeth: That's the next point. The member's suggestion is that we should supply all workers—I suppose he means all hourly rated workers—with some kind of night transportation; but then the problem is he is suggesting that should apply for men as well—

Mr. Bounsall: Right.

Hon. Mr. MacBeth: Then do we tie it to all hours of work or just certain night hours? Because as soon as we tie it to specific hours of work, then we get somebody changing the shifts to try to avoid that. There are certain problems carrying it out: Everybody doesn't want to go straight home after work either, and that sometimes leads to a few embarrassing situations.

However, all of these matters are always under review, and that is one of the things that causes some concern. But at this time I can't see passing that benefit on to the male sector of the population; and unless we do pass it on to the male sector, I think the majority of organizations, such as labour movements and women's movements, feel that there should not be discrimination in favour of the women either.

Mr. Speaker, I say my answer to the problem is to make our streets safe; and the more people we have on those streets, perhaps the safer they'll be.

Mr. Bounsall: But we cannot do it with this bill.

Hon. Mr. MacBeth: But we also want to do it, of course, by way of public transit; and the more demand there is for public transit, rather than taxis, the better service we will enjoy in that field.

My friend from Windsor South also referred to termination pay. We have always taken the stand, Mr. Speaker, that it is not termination pay, but pay in lieu of notice. We do not want to get into competing with the work of the Unemployment Insurance Commission, which we feel should be looking after unemployment as such. But in regard to pay in lieu of notice, the purpose of that, of course, is that if termination is to be brought about for any reason we want the employee to have fair and reasonable notice so that not only he himself can take steps to readjust his situation to find other employment, to train himself if necessary, but that so our ministry as well, through our employment adjustment branch, can work with the person or persons involved and see whether or not we can help them.

I was interested in the remarks about the Canadian National Institute for the Blind. I am surprised to hear that, and I would like to get more private information from the member if I can to follow that up. As I say, I'm surprised to hear that.

Now, the member talked about the minimum wage; that Ontario is in sixth place. That is so if you take into consideration the Northwest Territories and the Yukon; and only then, of course, after the first of next year. The minimum wage is also continually under review. The member suggested that the review should be quarterly; we have been trying to work on a six-month basis so that we can give notice. Notice is important in some industries, and we want to give as much notice as possible. That matter is, as I say, constantly under review because of the problems of inflation.

The member also suggested that minimum wages become maximum. I suppose that's inevitable; that's the very nature of the Act. The minimum wage is the law, and regrettably there are many industries that work on a minimum wage. So to those people it does become, I suppose, the maximum. But it's not a maximum as far as the law is concerned, nor as far as our hopes go. But you could say that about any minimum wage we set, no matter what the figure was, because that's the very nature of the beast.

The member referred to two-thirds of the unorganized work worce working at the minimum wage. I don't really think that's the case, unless we are just talking about labourers as such and those who are not organized; and there are many, of course. But I wouldn't accept for one minute that two-

thirds of the unorganized work force are working at minimum wage.

Mr. Bounsall: Minimum vacations.

Hon. Mr. MacBeth: Well, they may be at minimum vacations—I don't know that. But certainly I wouldn't accept it as far as minimum wages go. I don't know the figures on vacations; but that's something we can discuss when this bill gets into committee, where I will have some of those figures for the member.

I think what the member for Thunder Bay was, in effect, asking for is a guarantee of employment. In other words, that a person could not be discharged from his job unless there was adequate reason, or the job itself came to an end. I know that that is the case with many union contracts, but it has never been the concept of the Employment Standards Act, as far as I know.

I don't even know what consideration has been given to it, as far as employment standards are concerned. I can see it fraught with many difficulties, particularly when the number of employees is very small, and when a difference of opinion or a conflict of personalities develops between the employer and the employee.

I think the employee should be able to say: "Here, I have worked for this person long enough and I am fed up." But I think it is a two-way street. Possibly the employer, over a course of time, just develops a personality conflict with one or two employees, and I think the employer has to have the same right as the employee. I will be glad to discuss it further, but I can't see how—

Mr. Stokes: The employer in this case was Imperial Oil, so it wasn't just a case of one or two.

Hon. Mr. MacBeth: All right, that's a big company and the philosophy wouldn't be quite the same as the one I am suggesting it might be in a much smaller organization. They were not organized, is that right?

Mr. Stokes: No.

Hon. Mr. MacBeth: I will be glad to discuss that further with the member, because it is interesting.

Now, equal pay for women; the last point the member for Thunder Bay raised. I don't know how you get over the ingenuity of man —or woman—in trying to—

Mr. Stokes: Circumvent.

Hon. Mr. MacBeth: —to circumvent this type of discrimination. Again, it's a problem of education; of getting the public to accept this. We have tried to improve it in what we are doing here. I was speaking to somebody on Friday afternoon who was certainly not satisfied that this went far enough. Madeleine Parent was speaking to me on this as recently as Friday afternoon, and she says that she is not satisfied yet.

The present principle is equal pay for work that requires equal skill, effort and responsibility. The new principle is equal pay for work that is substantially the same and that requires substantially the same skill, effort and responsibility. Again, no matter how one draws the law, there may be somebody, such as in the case the member is giving, where one person works above ground, one person goes down a few feet and does the same type of work, and they differentiate on that basis. As long as we are making laws in regard to this, somebody is going to find ways of differentiating.

Certainly the ministry wants to do its best to make any discrimination that is there illegitimate—that is a poor way to put it, but if there is a difference in pay, it must be on some legitimate basis rather than any kind of pure discrimination.

Mr. Speaker, as I said earlier, I hope and wish that this bill should go to a standing committee so that many of the things that have been raised can be discussed more fully and with a more detailed reply than I have made here today, sir.

Mr. R. Gisborn (Hamilton East): Mr. Speaker, before you put the question, I wonder if I could put a question to the minister on the principle of the bill?

Mr. Speaker: If the minister accepts it, yes.

Hon. Mr. MacBeth: I will accept it if I know the answer. On the principle of what?

Mr. Gisborn: A principal point in the bill.

Hon. Mr. MacBeth: Yes, I will be glad to; I may not have the answer.

Mr. Gisborn: One of the principal points in this bill, as in any other bill, is those parts that are arranged by regulations, under the Lieutenant Governor's permission. Last Monday we debated Bill 122, which was introduced by the member for Scarborough Centre (Mr. Drea), and which wanted the caretakers and superintendents of apartments to be included in the bill; they are now in the exclusion portion. On the principle of this

position, does the minister concur with the member for Scarborough Centre? And does he intend to have the superintendents, caretakers, etc., included in the bill in the future?

Hon. Mr. MacBeth: Mr. Speaker, just let me say I am sympathetic. It is difficult to put all of the round pegs in square holes and the legislation tends to make square holes of something; or you can put it the other way around. But there are all these categories. Farm labour, I suppose, is the prime example that is difficult to fit into the boxes that we make by our legislation.

We have it under review as far as the caretakers are concerned; there will have to be special provisions for them. I am sympathetic to the bill of the member for Scarborough Centre and the hope and the thought that are involved there. My ministry has it under study, and if we can find some way of fitting them in we will do so, but that is, of course, the obvious reason why we have to have regulations.

Motion agreed to; second reading of the bill.

Mr. Speaker: It is my understanding from the minister's comment that the bill will be referred to a standing committee of the Legislature.

Agreed.

LAND TRANSFER TAX ACT

Hon. Mr. Meen moves second reading of Bill 136, An Act to amend the Land Transfer Tax Act, 1974.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I understand that the minister is agreeable to sending this bill to standing committee along with the other bills that he has brought forward. Accordingly, I don't think it necessary for my remarks to be but for a few moments.

There are a couple of points in the principle of the bill that I think are worthy of discussion. The first deals with the matter of the lease of land, where the minister is going to have the opportunity of having no tax placed on a lease on a term of 50 years or less, including renewals. It's interesting to note that if the lease might be for the term of 50 years, in fact, the value of the consideration on which the land transfer tax is payable is to be the fair market value. One wonders if this term "fair market value" will apply to the whole term of the lease or just to the value of the term in excess of the 50 years. Presumably the minister by regulation could determine if it was to be the latter value, and I think it would be worthwhile to hear from the minister if that is his intention.

There are several other amendments in the bill, Mr. Speaker, which is otherwise generally a housekeeping bill. It's interesting to note that the non-resident corporation shareholder matter has now apparently been finally defined. There were comments earlier on in the session concerning this problem when the original bills were discussed and when the matter of companies akin to the Tara Exploration Co., which changed its head office, were brought up as examples of corporations whose residential shareholders might for some federal purposes fit into federal legislation but not fit into provincial legislation.

It would now appear that the matter of non-residents is finally defined, based upon the residence or non-residence of the shareholders who control the corporation. This appears to be a reasonable and clear way of approaching the problem. I commend the minister for finally resolving what had appeared to be a slight problem, certainly one which would come before the courts without too much time having passed and one which might add some confusion to the kinds of tax policies which should otherwise be quite clear.

We were interested to note further in the first section that the matter of non-residency is dealt with with respect to a trust as well, so that appears now to have been defined and attended to.

I would ask the minister perhaps to give us some general explanation of the matters set out in section 7, wherein he deals with the repayments to non-resident persons who fit into certain categories. The information which is required, presumably by affidavit, as to the details that would allow a person to recover the difference between the 20 per cent tax being paid and the much lesser amount of 0.6 per cent is spelled out there. I'm wondering if the minister can give us some examples of how he sees this kind of situation working and whether the problem he expects will be a particularly large one.

There is, of course, set out later in that section the details of these matters and other requirements that the ministry is going to make in order to have certain of these conveyances to non-resident persons be at least put through some sort of a filter to make sure that if there are claims made for recompense of those taxes, they in fact fit in with the law of the province as we see it.

I don't think there is anything more particular that one might say on second reading, Mr. Speaker. I commend the minister for clarifying at least some of the points that were raised earlier in the lengthy debates on this bill and, of course, on matters that related generally to the land speculation tax, which is also going to be brought forward and some changes to it made when we deal further with Bill 25.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Thank you, Mr. Speaker. The member for Lakeshore (Mr. Lawlor) also has a few comments to make during the course of this debate; I had intended to follow him rather than precede him, but I did want to make a couple of comments about the amendments.

As the member for Kitchener has already pointed out, a number of these amendments are consequent on experience that the government has had with the bill rather than making any major point on principle.

However, we were disturbed, I must say, at the decision to exempt leases of up to 50 years—or 49 years. It seems to us that there should be a full discussion by the minister about that particular provision during the course of this debate, because it seems to us that yet another loophole is being put into the land transfer tax from the way in which it was originally installed.

If any investor wishes to evade the tax now, it is possible, as I understand it, for him to acquire a lease of 49 years or thereabouts. Presumably the question of whether there are options for the continuation or not is relevant. Nevertheless, given the patterns of commercial financing, I would have thought that in certain circumstances people would be quite happy to acquire property on a 49 or 49½-year basis, since the pattern of these leases has tended to be shorter over a period of time. It was our understanding that the intention of the bill was to try to discourage the entry of foreign money into the Ontario market and was intended to keep foreign speculators out of Ontario but they have now had the back door open for them in the form of the leases.

The second thing the government appears to be doing and on which I think the minister should comment, has to do with the exemptions that have been made. There have been a number of them. I believe they have all been made public, but I think that there should be a public statement by the minister related to the use of the exemption powers over the period since the bill was originally put forward. Second, it seems to me that the minister should defend the new powers and the decision to rewrite the powers which are put in section 7.

We are concerned that investment by foreigners in the residential land market, as I can see it here now, has been broadened to the point where the Land Transfer Tax Act is completely ineffective. It seems to us, on some examination of the bill—and the member for Lakeshore may have some other comments on this—that if it is possible for a non-resident to acquire land for the purpose of development and resale of land for residential, commercial and industrial purposes, then the foreign-based speculation in land, which, we understood, the tax was originally intended to curtail, is simply going to continue under the fiat of the minister. It may be that political contributions to the party in power will be required in order to get that kind of permission. It may be that there are certain time limits imposed so that long-term speculation in land or long-term landholding will not be permitted. Nevertheless, the interpretation and the rules under which this power of discretion is exercised are being removed completely from the Legislature, as far as we can see it from the proposed rewording of the bill.

It just doesn't make any sense at all. It would appear that the bill's main impact now is going to be in two areas. We are not in disagreement with either of those areas but, nevertheless, it will be only in those two areas. One would be on the purchase by foreigners of vacation and recreational property in Ontario where they would be discouraged because of the imposition of the 20 per cent tax. The other would be in the acquisition of real estate which is extant, which has already been built. Fine, okay. If a Hong Kong investor wants to buy an apartment which has been existing for several years, it would appear that he might have to pay the land transfer tax. But if that same investor is coming in and buying land in the area of South Milton, for example, which his company intends to develop and resell for residential purposes at some time in the future, that appears to be eminently permissible according to the government.

We don't see any commitment there by the government to take away some of the people who have been pushing up the price of land for development or any commitment by the government to move into the land field and to take over the action from the private

sector. There seems to be a mistaken and fallacious view on the part of the government that money that is put into land is somehow a contribution to economic activity here in Ontario. I would suggest that quite possibly the answer is the opposite, because the money that is put into land simply sweetens people's pockets. It helps to raise the price of land—of all land, not just the individual parcel of land that is bought. The profits from land have tended in the past to be put into further real estate speculation—that is, into further land purchases—rather than being put into productive investments, shall we say in the construction of apartment buildings.

If foreign resources are brought into this market, we don't see why they shouldn't be brought in in the form of mortgages and in the form of debt financing in order to permit the acquisition of the resources—the lumber, the concrete, and the other things that you need in order to build property—to build housing, to build commercial or industrial properties. But that's not what the minister says here and that's not what the government says here.

In effect, the government is now opening a second very broad loophole which will permit the renewed and widespread speculation by foreign investors in residential, industrial and commercial land provided they have the imprimatur of the minister. I don't know what kind of restrictions the minister can put on that.

If he says, for example, that the permission will apply only if the land is to be developed within a year, then what does he do if there is some delay in servicing or some delay in planning, because of municipal action, or the ratepayers' group, or the Ministry of Housing, or the Treasurer, which defers the commencement of residential construction beyond that period of time? What does he say if somebody purchases land which he intends to use for residential purposes, or says he intends to use for that purpose, five or 10 years in advance? How does he tax a corporation which is purely speculating in land for development in 10 years' time, while he exempts a foreign controlled corporation which is acquiring a land bank which it says it intends to develop in 10 years time after it has used up the land bank that it has for four, six and eight years from now? Those kinds of distinctions are extremely difficult to draw, and it would seem to me that the right answer should be that the land remain in Canadian hands.

By all means let's have foreign entrepreneurship in the form of construction expertise—and there are vehicles, such as partnerships and so on—so long as the government is going to rely as heavily as it does on the private sector. In the meantime, Mr. Speaker, we would suggest that rather than invite foreign speculators back into the Canadian market the public sector should be becoming much more active in the development and in the ownership of land.

Our feelings about the exemption for industrial purposes are very similar. We feel that there, too, this can be handled on a leasehold kind of basis, with the ownership remaining in Canadian hands rather than with the kind of exemption which the minister has allowed in this particular case and which the government is clearly committed to.

We will have a number of other comments to make during the committee stage of this bill, Mr. Speaker. I wish that the minister would rise on those two points, to say why the loopholes, why he is letting the speculators back in and how he has dealt with those discretionary powers over the past year.

Mr. Speaker: Does any other hon. member wish to take part in the debate? If not, the hon. minister.

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, I must confess I was looking forward to hearing from the member for Lakeshore, but I guess I will have to defer that until we get into committee.

Both members who have spoken have touched on the matter of 50-year leases. The problems we confronted in administering the Act as it stood were mainly in the commercial end, where, although it is possible to value a lease with a straight form of monthly payment or yearly payment or whatever for a term of years, leases in the commercial sector were a different thing altogether. Many of these leases have a form of profit-sharing related to sales—either gross or net profits, escalation clauses and the like—and, therefore, from our administrative standpoint, it became impractical to endeavour to administer a land transfer tax. Under the Land Speculation Tax Act, the same problem arose too. In other words, to establish a present value for future income from a document known as a lease.

Initially, and by the terms of the regulatory powers reposed in the Lieutenant Governor in Council, we passed a regulation exempting leases up to 30 years, thinking that that would overcome most of the problems.

But then it turned out that there were still a number of commercial enterprises in which leases of 30 plus 10 and 10 were not uncommon. These leases were related to mortgage financing in many cases and it was desirable, therefore, that the lease provision shouldn't prejudice the mortgage financing that went along with it.

Therefore, it appeared to be practical to deal with leases of 50 years or less—treat them as something less than a full conveyance of an interest in land greater than 50 years as though it were a conveyance of the fee.

I might just mention to the hon. member for Ottawa Centre that one of the objectives of the select committee on economic and cultural nationalism was that Ontario land remain in Ontario hands, or at least not get out of Ontario hands. And when it came to leases, therefore, I am advised that their feeling was that they didn't really care; because a leasehold interest eventually terminates whatever its term might be. It might be 50 years or 99 years or 999—I'm not sure I'd be happy about going along that long—but their view was that a lease for a finite period of years eventually terminates.

Therefore, they were not concerned about the loss of our control of our land on the long-term basis, where the lease would eventually terminate. And so we selected a term of 50 years, and did so by regulation. And this amendment now confirms that regulation; it will make the regulation redundant.

But the amendments to the Act also establish other criteria for the placement of value. The hon. member for Kitchener touched on this point and was asking how we do value a lease. When you look at a lease in excess of 50 years, we really consider it a conveyance of the fee. We therfor value the land as though it were a conveyance of the land at that time, and fair market value for that parcel of land would have to be established and worked out with the ministry.

Mr. Breithaupt: At the time of the lease.

Hon. Mr. Meen: At the time when the lease is tendered for registration, that's when our interest in seeing that justice is done arises; it's triggered with the registration of the lease. And if at that time the term remaining is 50 years or less, then we're not interested. But if it's in excess of 50 years, then we take a look at the value of the leasehold interest as though it were a conveyance of the fee. And we determine the land transfer tax that would be payable as though it were a deed of conveyance.

The hon. members have asked for some explanation to the exemptions that have been granted. I was asked a question in the House the other day. I had hoped that I'd have the answers detailed so that I could give the answer in the House today during the question period, but regrettably the material was not available to me. I was only able to get it a few minutes ago.

I might just remind the hon. members of the question. I was asked by the member for Scarborough West (Mr. Lewis) what reason was there for me, as the minister, "for giving the land transfer tax in the case of the Kellogg Co. of Canada Ltd. in London." And by way of supplementary he asked:

> how it is that he [myself] has to grant a company of that size a $5,000 tax forgiveness to construct a parking lot? Can he explain to us how he has maintained Canadian jobs in London which might not otherwise have been maintained; how that $5,000 was pivotal to the economic security of London?

And the member for Kitchener, who spoke earlier, said:

> Mr. Speaker, I have a kind of supplementary. Would the minister provide us with the details of the other amounts that have been forgiven and the reasons for them, so that we can see that as a public record as well?

I replied that I had the information and I would endeavour to assemble it and give it to the member. I have it here.

The exemptions that have been granted to date and gazetted are some 10 in number. I think in reviewing these it may help to set the stage and draw the picture for the manner in which we eventually established the criteria set out in section 7, particularly in subsections 1 and 4, I think, of the amending bill.

Electrolux (Canada) Ltd., for which there was a tax reduction of some $454,841, was already operating in Canada, and bought out another non-resident company in Brockville that was shutting down. The purchase not only protects existing jobs but is expected to create new ones. I am advised that the jobs that were protected at the time of that exemption so that the business could continue were some 200, or would be 200 within the next year or so, and they expect to have a total of 500 within five years.

The second one was Holmes Insulations Ltd., for which an exemption of some $800,000 was granted. Now this company was taken over by the acquisition of shares by Babcock and Wilcox Ltd. Holmes Insulations Ltd. was in financial difficulty and the sale

will permit the continued operation and expansion of the plant in Sarnia. I am told approximately 100 jobs were retained by that refinancing that took place because of the infusion of capital from the non-purchasing by the non-resident company.

So there you see another principle.

White Motor Corp. of Canada Ltd. had a remission of some $70,000 in tax. This company was operating in Brantford and acquired an additional site for expansion and research facilities. That is still another principle that we think is in the interests of a growing economy here in Ontario. They are expecting some 100 jobs in 1975 and a total of 600 jobs by 1978.

Another one was Devereaux Canada Ltd., with a remission of some $90,000 of tax. This company was operating in Ontario, I am advised, and acquired a site near Bolton to establish a processing plant. I am advised that some 79 jobs would be expected in the first year, increasing somewhat to 111 jobs in about five years.

Xerox of Canada Ltd. had $369,000 of tax remitted. The company, through a number of subsidiaries, acquired a site for a new research centre. Most of the site had been acquired prior to April 10, 1974, and the tax relief applied for the remaining parcels in the block of land acquired. The new centre will result in new technology being brought to, and developed in, Ontario. We are advised that there will be some 500 jobs in the first year and about 1,000 jobs within four years.

CEB Ltd. had $107,200 of tax remitted. The company operates in Ontario, and bought a new building and property to replace rented accommodation. There had been a substantial commitment to the transaction prior to April 10, 1974. But entirely apart from that, which was one of our earlier criteria, of course, and is set out specifically, the fact remains that they were an ongoing operation and were expanding, replacing rented property.

Kellogg Co. of Canada Ltd., the subject matter of the question asked of me the other day, received a tax remission of $5,122. This was part of a plant expansion in London. The company had to provide additional parking space for employee cars and it acquired the land for this purpose. I might say, Mr. Speaker, I consider provision of parking areas for employees an integral function, certainly an ancillary function appropriate to any industrial or commercial operation.

The next one: Reynolds and Reynolds (Canada) Ltd., $349,305 tax remitted. This company operates in Ontario and had acquired buildings and land of another non-resident company in order to expand its operations.

The next one: Paul and Kay Orenstein and Kappell (Canada) Ltd., tax remission of some $131,055. The company purchased a plant in Dundas, Ont., which was in imminent danger of closing. The sale to the non-resident company followed unsuccessful attempts to locate a Canadian buyer. The plant's operations are to be enlarged, thereby not only protecting existing jobs but also creating the opportunity for new jobs.

Lastly, among this list of 10: BDH Chemicals Ltd., a tax remission of $115,505. The company acquired property from another non-resident company in order to relocate and expand its present operations with some 50 jobs involved.

Mr. Speaker, that summation of the 10 exemptions granted and gazetted to date indicates the scope of the areas we found compelling as arguments for remission of the tax—the creation of new jobs, the opportunities for new jobs, the bringing of new technology, the preservation of existing jobs. That kind of guideline became pretty clear to us as we heard these various arguments advanced by the companies seeking to have tax remitted. So the members will see those principles embodied in section 7 of the bill.

Mr. Cassidy: Would the minister exempt the purchase of a Canadian firm by a non-resident firm operating in Canada?

Hon. Mr. Meen: Yes, Mr. Speaker, in answer to the member's question. If the non-resident corporation were in business in Canada on April 9, we would not preclude its extension of its operations. To do so, in our opinion, would be to tamper with an existing situation where a company has set up, is operating, and has employees who, we think, have every right to anticipate a future with their company, the creation of new jobs and the growth of that company. Therefore, we would consider it to be appropriate. That's one of the exemptions in the section.

Mr. Cassidy: Has the minister done that so far?

Hon. Mr. Meen: I think the answer to the member's question is yes.

I think the member for Kitchener also referred to section 7(1) and the proposed guidelines for deferral. Section 7(1) is quite an elaborate one and I'd be happy to go into it in greater detail in committee. I don't know whether it would be of use to the members to review just some of the areas of

exemption contemplated, or deferral contemplated by section 7(1).

Clause (a), for example, deals with the "acquisition of land by a non-resident for the purpose of purchase of residential, commercial or industrial development and for resale." In that case, if the purchaser is a non-resident the high rate of tax will apply, but if not, then on the resale to a resident it would be at the lesser rate. That's the way subsection (a) would work.

I'm going to clarify my thinking here. Clause (a) of section 7 deals with "acquisition of land by a non-resident for the purpose of purchase of residential, commercial or industrial development and for resale."

On that basis, the minister may with the approval of the Lieutenant Governor defer the payment of the tax, or remit the tax if it has been paid, on such conditions as to the use and development of the lands as are considered advisable.

Clause (b) refers to relocation of an existing active business where the non-resident undertakes to obtain necessary zoning changes. We've seen a number of instances where an existing non-resident property owner wished to purchase the property adjacent. That property may well be zoned agricultural or might be zoned for some use not appropriate to the non-resident purchaser's intended use. We would say to him, "We will not give you an exemption now but we will give you a deferral. If you obtain the necessary rezoning, then there would be tax applied only at the lesser rate." And so on down through these various subsections —and I direct this observation to the hon. member for Kitchener (Mr. Breithaupt), Mr. Speaker—I think we'll be able to give him illustrations for each type of case we would anticipate encountering under these various subclauses.

Motion agreed to; second reading reading of bill.

Mr. Speaker: Do I understand this is to go to standing committee?

Hon. Mr. Meen: Justice committee please, Mr. Speaker.

Mr. Speaker: So ordered.

ALGONQUIN FORESTRY AUTHORITY ACT

Hon. Mr. Bernier moves second reading of Bill 155, An Act to incorporate the Algonquin Forestry Authority.

Mr. Speaker: The Leader of the Opposition.

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, if the Leader of the Opposition (Mr. R. F. Nixon) will permit me, I have a short statement to put on the record prior to the debate beginning.

Mr. Speaker, I'd just like to make a statement in connection with the second reading of the Algonquin Forestry Authority bill, which was tabled in the Legislature and given first reading last week. The hon. members will by now have had the opportunity to study the bill. Before the debate gets under way, I'd like to describe briefly the purpose and the effect of this important piece of legislation.

It follows the recommendations of the Algonquin advisory committee, whose final report I tabled in July, 1973. The overall aim of the forestry authority will be to conduct logging in Algonquin Park.

After an extensive seven-year study of the park, it was determined that logging is essential in the park both for silviculture reasons and for the economic health of the Algonquin area. Recognizing the necessity for logging, my ministry concluded that the most effective, the most efficient and the least disruptive way to conduct logging in the park would be by a Crown corporation.

The advantages of such a Crown corporation will be obvious to the hon. members. First, it will facilitate a close control over logging operations in the park. Secondly, it will permit better utilization of timber resources, enabling more products to be obtained from fewer trees. Third, it would be much less disruptive than the 18 separate companies that now operate in the various areas of the park. Fourth, it will allow the ministry to direct logging operations so that purely therapeutic logging can also be carried on, that is the felling of trees that have no market value but should be cut for good silviculture management.

The forestry authority is one element in a series of moves to ensure that Algonquin Park will remain a healthy, green, recreational area for the people of Ontario in perpetuity. The other elements include the development of a master plan for Algonquin Park and the creation of a parks council that will oversee the implementation of a master plan for Algonquin Park as well as advising my ministry on all the parks in the province. The creation of the Algonquin Forestry Authority is an important step forward in the best pos-

sible management of Ontario's most important recreational resource, Algonquin Park.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I want to spend just a moment or two refreshing your memory, sir, and perhaps those of others as to some of the events that have led up to the introduction of this bill.

After the park was established in the late 1800s, it did not change significantly from its previous use; and that had been as an area which had been extensively logged right from the city which now is known as Ottawa, through the area up into North Bay and beyond.

We can admire the foresight of the members of the Legislature in those days, but since that time the area of Algonquin Park has been treated very much as other logging areas, and it is with the introduction of this bill that the minister tends to establish the imprimatur of continuing logging and the exploitation of those particular natural resources on a permanent basis.

We feel very strongly that the government should at least accept the goal of phasing out the logging operations over a period of time—if necessary, a substantial period of time—and that the decision to establish this authority is not in the best interests of the whole of the community of Ontario, or even the many people in this part of North America who look on Algonquin Park as one of the finest examples of a natural park anywhere in the world—and we have it here in Ontario.

Over a number of years, and through the responsibilities of a number of ministers, we have been treated to various attempts to come to grips with the problem that is before us today in the form of Bill 155. An advisory committee was established, including most of the members of the Legislature in the areas directly concerned; it was chaired by no less an eminent citizen than Leslie Frost himself. His qualifications were undoubted as an outdoorsman. Personally, he didn't politically trade on that; he was a bona fide outdoorsman and he knew many parts of Algonquin Park personally and well.

The appointment was an interesting one and had the political usefulness, as far as the then government was concerned, of putting this problem on the shelf for probably a total of five years. My colleague, the member for Nipissing (Mr. R. S. Smith) served on that advisory committee; and, as it was his responsibility to do he referred to it from time to time in our caucus and we were able at least to observe the changing attitudes of members of that advisory committee over a fairly long period of time.

The announcement of the forestry authority was made palatable at the time because it contained the statement that no less a personage, once again, than former Premier John Robarts would have the chief executive authority in operating that authority when it came into being. There were complaints in the Legislature from the hon. member for Ottawa Centre among others, that Mr. Robarts had what amounted to a conflict of interest because of the interlocking directorships which he had received since leaving political life.

Whatever the case, Mr. Robarts' involvement soon receded into something less than public awareness, and I think he very properly indicated to the minister's Premier (Mr. Davis) that he was not prepared to participate because the feeling in the community was that his usefulness probably would have been diluted, if not lost entirely, because of his other interests.

There have been very strongly feelings expressed by many people in the community that while the wood resources in the park are considerable, we ought at least to accept the principle that in the long run the park must be put over completely for public use and that at the same time we must make the commitment that in the long run, those industries and individuals who depend on it for their livelihood must in no way suffer personally or financially. This then must be accompanied by government planning in those areas in Renfrew, Nipissing, Parry Sound and Muskoka, and I suppose to some extent in Victoria county and Haliburton, so that the wood resources are going to be replaced from some other source or industrial changes will be such that people are going to have an opportunity to continue their way of life in that particular area and not have to give up anything by way of employment or remuneration on behalf of a policy which we believe would be acceptable to the province as a whole.

Because it is acceptable to the province as a whole, we believe the government must involve itself in this kind of long-range planning, and we on this side regret that the government has made no such statement, that it has not accepted that as a goal. For that reason we cannot support the bill in principle.

I would particularly have liked to have seen some further discussion on the establishment of a commission operating in Algon-

quin Park in the same way that it is operated with substantial success in the Niagara Parks area and in the St. Lawrence Parks area; those areas which have come into substantial and increasing use by the citizens of this part of the province and the northern United States, who have come into the area in greater and greater numbers and, in fact, want to feel that the parks are for their utilization.

We certainly do not want to see a huge inroad of tourist utilization, even camper utilization, without very careful planning in any of these park systems, and this is particularly true of the Algonquin situation.

We have been interested in the discussion that has taken place between the minister and the leader of the NDP over the availability of other wood resources in a 50-mile area of Algonquin. It is to some degree unfortunate that the report authored by G. Pierpoint and made available a few days ago by the minister, came so late in the sequence of events leading up to the debate on the principle of this bill.

We were not prepared to support the NDP when they say this is simply an apologia for the government's policy. We simply must accept the background of Mr. Pierpoint and those others who assisted him. Dr. Frank Raymond is another. Surely their professional assets and their reputation are such that the report must be accepted as a valuable one in the discussions pertaining in this regard.

I do, however, regret that the emphasis on the so-called 50-mile limit has been to the exclusion of other hardwood resources in the province. When we talk of 3,000 jobs associated with the lumbering industry in Algonquin, it has never been made clear what these jobs entail; whether, in fact, this includes the manufacturing interests, for example, in the town of Woodstock, which depends upon the supply of yellow birch, or how many people have come into the province from Quebec to work in the woods in some of these operations. I believe the statistics associated with this argument that has been put forward by the government have been sparse indeed, and have not been deep enough in their community ramifications to be as significant as the minister and some of his supporters indicate they are.

I would hope that during this debate, perhaps in committee, there would be further information available as to the number of jobs and the distribution of the jobs on which the people in the local community depend, and as to what would be the alternative responsibility if the other policy had been accepted and the goal of eliminating logging in the long run had been a part of government policy.

The other thing is that we should be aware that across this province, not on Crown land so much as on privately-held land, there are many hardwood bush lots which have not been properly developed—and I suppose, to be fair, I must use the word exploited—so that the mature timbers could be made use of for the financing of farming operations and for the supply of hardwood for that industry, which is an important part of the woods industry in this province as a whole.

Setting the 50-mile limit has excluded the possibility of the utilization of those resources even down in the farming areas of southwestern Ontario. There was a time when southwestern Ontario was covered with very fine hardwood stands, maple particularly as well as oak and other woods. Very few 100-acre farms are without their 10 to 20-acre bush lots, which in my view have not been adequately used, developed and exploited as an aspect of the farming industry. I believe the argument that the industry depending on yellow birch, and maple particularly, would have to go out of existence is not a valid argument; and the argument that Algonquin Park would have to keep producing these hardwood logs for that purpose is, therefore, an irrelevant one in this connection.

The 50-mile limit that was established by the question put forward by the leader of the NDP, and responded to in the Pierpoint report, is for that reason, in my view misleading to that extent in the discussion of the issue that is an important one and that lies before us at the present time. It has not been made clear either whether the survey of the availability of hardwoods, yellow birch and other sources of wood material, has had included within it the reference to those resources from privately-held land or whether the emphasis is only on Crown land entirely.

I would say again, Mr. Speaker, that I think it is unfortunate the alternative of establishing a park commission, which would have something more than just the overseeing of the removal of logs, has not had a larger place in the minister's thinking. He announced just a few weeks ago a further advisory committee that would have responsibility in Algonquin and for other parks. The idea of establishing an authority dealing exclusively with the removal of timber seems to be far away from the general line of the citizens of this province, who were concerned obvi-

ously with the livelihood of the people who live in those communities, but who are also concerned with the preservation of one of our most valuable resources, particularly in its wilderness aspects. This alternative is one to which the minister might have given further consideration, particularly since it was reviewed by the advisory committee meeting over a number of years, and which he has rejected.

The acceptance and the establishment of a general master plan has also given rise to some questions in the minds of those people who have been very definitely concerned with the future of Algonquin Park. Statistics can be put forward in such a way that the area actually utilized for the removal of logs appears to be insignificant, but there are those who frequent the park—and I must admit to you, sir, that I am not one, unfortunately—who have indicated that the intrusion of the logging interests is a serious one as far as the wilderness aspects of the park are concerned, and one which must concern us all.

I am very much of the opinion, Mr. Speaker, that the minister has not given sufficient weight to those people who are also expert in the management of forests and in the provision of a proper park management in general, who contend that the continuation of a logging interest—which will probably be stepped up, rather than phased out—is anything but in the best interests of the community at large.

The minister shakes his head and indicates his policy will be to maintain it at its present level. If that is the case, then surely over a period of several years, as a matter of policy which should be enunciated at this time, we could establish the goals which I have put before you, Mr. Speaker, and which I and other members of my party have indicated we are prepared to support.

The concept of this legislation is that even though the authority is undoubtedly ours, we bypass the examples, which have been fruitful ones indeed, of the establishment of commissions at Niagara—and I see that the chairman of the Niagara Parks Commission is here — and other centres. This concept, Mr. Speaker, is one which really indicates the government is not prepared to learn from their own experience.

I have also been very much concerned that the minister has indicated that the main value of the authority envisaged in this bill is to control the removal of the logs. After all, he is the minister of the ministry of Natural Resources. which has as its prime requirement the inspection and the supervision of the laws and regulations which are enacted under the authority of this Legislature. To establish another intermediary body, which in fact has as its main responsibility a logging operation rather than the supervision of a logging operation, seems to fly in the face of good sense.

The authority is at present resident with the minister and he has access to plenty of officials and inspectors and those people who can enforce that authority in and out of the park if he wants to continue a logging operation, whether he phases it out or not. To hand this over to an authority dealing specifically with that area is a concept which seems difficult to accept, since the authority already rests with the ministry.

There was a time when I was very much in favour of the concept of putting a barrier of people, appointed rather than elected, between the power of a minister and a specific responsibility. I don't feel that way now. I feel that it is much too difficult for a public reaction to impinge on such a commission or an authority as would be established here; whereas the minister, who has the day to day responsibility to answer for his decisions and his administration in this House, is much easier to contact by the public, and I would say further by the representatives of the public, the members of this House.

I find the bill regrettable on those specific counts. It accepts the concept of logging in perpetuity. It resorts to the argument that, in fact, it is good for the forest to have the logs removed, rather than the acceptance of the concept that this is a special area set apart by our predecessors almost a century ago in this House with the concept that it is to be used as a park by the people of this province and others who travel here.

Most of the parks established by the province, and all of the parks established nationally, expressly prohibit this sort of utilization or exploitation. It is therefore regrettable, as we see the importance of Algonquin increasing year by year, that the government is prepared to accept the concept of the continuation of this utilization. I don't suppose, Mr. Speaker, much can be gained by talking about the alternative for the woods industry in the 50-mile area or even from the resources of the province at large. The minister feels, as a matter of policy, that it is essential the logging operations be continued.

I would say to him, whether he decides it is essential now or in the future, there will be a change coming in this province and it is essential that a phase-out operation be estab-

lished as a plan for the area. It is possible to do this, surely, without infringing on the rights of the people there for continuing employment with a standard of living which should be increasing rather than decreasing.

We believe in this party this is the future for that area. When we are talking about alternatives, we are not talking about the alternatives bound up with early retirement and simply make-work programmes, but about the sort of plan for that part of eastern and central Ontario which has been lacking in the past and which continues to be a very serious vacuum in general government policy.

I must say we do believe very strongly that a good deal more should be done for the development of the park along the lines of those matters that were put forward not only by the original advisory committee but also by other groups that have been involved in this in recent months. The minister seems to have put aside most of these considerations with his concentration on the continuation of logging.

We would hope that government policy would establish the kind of park governance that has worked well elsewhere, that the government would accept a goal of eliminating the logging practice; and that we would have a type of master plan which would emphasize the wilderness aspects rather than the manicuring aspects of the park. Along with this, a plan for the development of the whole area would ensure that neither industries nor individuals would be lacking in opportunity if the acceptance of our alternative were to become a fact.

We believe, further, that the government has not played fairly, either with the members of this House or the citizens in the area in that they have consistently been unwilling or unable to provide the statistics associated with the utilization of the wood facilities or a direct statistical survey of the employment that is now a part of the wood industry based on Algonquin logging. For these reasons, Mr. Speaker, I and my colleagues will be unable to support this bill in principle.

Mr. Speaker: The member for Scarborough West.

Mr. S. Lewis (Scarborough West): Mr. Speaker, I have some extended comments to make on the bill. I would think they will take half an hour or so or 20 minutes to half an hour. Do you want me to begin now or would you like to call the private members' hour?

Mr. Speaker: There are about six minutes. Perhaps you could make your introductory remarks.

Mr. Lewis: Sure that's fine. I have no objections at all.

Let me say, Mr. Speaker, just as an introduction, as the minister opposite would guess we intend to oppose this bill as the Liberal Party does. We will not under any circumstances support the constitution of an authority whose job it is to perpetuate logging in Algonquin Park. If the minister had come to us and said we want to have an Algonquin Park authority which will supervise the phasing-out of logging in Algonquin Park over a given number of years, then because we in this party believe in Crown corporations and because we believe that that would have been an intelligent proposal, we would have supported him happily. But to set up an authority whose job it is to maintain logging in Algonquin is something we will never support, because we consider the minister's fixation with Algonquin to be destructive; it indicates that the government is determined, to gradually, systematically desecrate parts of Algonquin and to force an incompatibility on the park between the logging on one hand and the use by people on the other, which cannot be countenanced. Therefore, the bill cannot be supported.

As the Leader of the Opposition said, and I agree with him, one of the most irritating and frustrating aspects of this debate is that it hinges to some degree—not totally, but to some degree in any event—upon the question of alternatives for Algonquin Park. Many of us, recognizing the implied dislocation for the work force when logging is phased out of the park—when and if logging is phased out of the park—wanted to have an alternative. The alternative obviously had to be contained in a radius very proximate to the park or it wouldn't be manageable or practicable. So the possibility of finding equivalent amounts of softwood and hardwood outside the park within a 50-mile radius became the argument.

That battle was joined in a sense when the ministry's division of forests sent to my office on May 27, 1974, the figures for allowable cut and actual cut of conifers and hardwood inside and outside the park. They seemed to demonstrate on first analysis—to us, in any event—that there was plenty of wood outside the park that could satisfy the requirements, and why the devil were we indulging ourselves in hatcheting the park, both metaphorically and actually.

The minister has tried to respond to that by giving us a document by Mr. Pierpoint of his forest research branch, analysing the woods contents and availability of timber

in the 50-mile radius outside the park in order to demonstrate that we must rely on Algonquin.

Mr. Speaker, I simply want to make a point that isn't going to satisfy anybody. I am going to deal with this report. There are, I may say, a couple of quite remarkable statistical inaccuracies in the report. I have all the respect in the world for Mr. Pierpoint, but his electronic calculators have one or two things wanting—I will come to that at 8 o'clock—when even I, as a layman, reading it in the second half of the Grey Cup, Mr. Speaker, found arithmetic errors. My nine-year-old daughter discovered one of them, and she is not as accomplished in the arts of arithmetic as Mr. Pierpoint. But who knows? To the young are vouchsafed insights never given to those of more mature timbre, as it were.

I must say to you, Mr. Speaker, that it is irritating beyond belief that a report comes down on a Thursday, on which is based the whole argument, and we have to debate the bill on a Monday without any real opportunity to analyse the document. I think that's wrong. Again I want to say, through the Speaker to the minister, as part of second reading, albeit a slight diversion: This is exactly what is killing the Legislature of Ontario, this kind of basic contempt for the democratic process.

We have had a debate raging for nearly six months now, with competing figures and competing references, as to whether or not we could supply the requirements for the entire woods industry and all the employees. Then the minister provided us with a report on Thursday, a scholarly document which I assume Mr. Pierpoint took at least two or three months to put together, and he gives us no time at all to subject it to some outside or independent interpretation ourselves.

I want to say, Mr. Speaker, I understand the House leader's dilemma. I don't want him to view this in any sense as a personal rebuke. He has to call on the minister and he has to call the bill, but it's wrong to call the bill at this time. To have delayed it until Wednesday or Thursday or Friday or next Monday would not have made one jot of difference to logging in Algonquin. It might have allowed us to measure the weight and substance of this document. And the refusal to allow us the time to even meet—my colleague from Thunder Bay said to the Deputy Minister of Natural Resources at the end of last week, "Could we meet with you?" Now, how much better faith can we have than that?

Hon. Mr. Bernier: That is not right.

Mr. Lewis: Is the minister telling me that the hon. member for Thunder Bay isn't telling the truth? Come on now!

Mr. Stokes: Is that what the minister is saying?

Mr. Lewis: There are some things that really defy credulity

Mr. Stokes: Is that what he's saying?

Mr. Lewis: Mr. Speaker, the hon. member for Thunder Bay told me that at the end of last week he would attempt to arrange with the Deputy Minister of Natural Resources—

Mr. Stokes: The assistant deputy.

Mr. Lewis: The assistant deputy minister, —his name escapes me.

Mr. Stokes: Mr. Ringham was there.

Mr. Lewis: Mr. Ringham, that's a name.

Hon. Mr. Bernier: They agreed, but the member didn't get back to them.

Mr. Stokes: Art Herridge.

Mr. Lewis: Art Herridge.

Hon. Mr. Bernier: They agreed but the member didn't get back to them.

Mr. Stokes: Didn't get back? We agreed to meet tomorrow morning.

Hon. Mr. Bernier: With whom?

Mr. Stokes: With Art Herridge. We agreed to meet tomorrow morning.

Mr. Lewis: Mr. Speaker, I see it is 5 o'clock, you see how time passes?

Mr. W. Ferrier (Cochrane South): Let's have some co-operation from the minister.

Mr. Lewis: It was an effort to meet with the ministerial people involved to try to look at the contents of this report. I suggest to you, Mr. Speaker, that that is approaching it in good faith, to understand what the ministry is trying to accomplish.

Let me tell the minister, this corrupt ministry—whether it's mercury pollution, Elliot Lake or Algonquin Park—this corrupt, deficient, incompetent ministry can't even take the time to do that in a civilized fashion. We'll deal with that after 8 o'clock.

Mr. Lewis moves the adjournment of the debate.

Motion agreed to

PRIVATE MEMBERS' HOUR:

LANDLORD AND TENANT ACT

Mrs. Campbell moves second reading of Bill 47, An Act to amend the Landlord and Tenant Act.

Mrs. M. Campbell (St. George): Mr. Speaker, the amendment which I am proposing lies between the non-productive rigid position of rent control and the laissez-faire let-the-marketplace-decide position of the government.

There is no question that rigid rent control has a very prolonged and far-reaching effect. But when I hear the deputy minister publicly state that this government's answer to the problems of tenants in the Province of Ontario is to have them call him if they're having a problem, then, of course, it's quite apparent that there is no policy flowing from this government to meet the needs of the people.

I may say, Mr. Speaker, that the hon. member for Etobicoke (Mr. Braithwaite) has also expressly asked me to have him joined with my remarks, since he is experiencing the same problems that I am.

Mr. M. Cassidy (Ottawa Centre): That removes all credibility from the bill.

Mrs. Campbell: Consider the source, Mr. Speaker.

In spite of pleas for protection from countless tenants across the province and from at least one municipality—and I'm referring, of course, to Toronto—no action has yet been taken, either to give security of tenure to tenants or to provide some recourse against the exorbitant increases that are being experienced in most of our urban centres.

Mr. Speaker, tenants are quickly becoming the majority group in our population. The incidence of home ownership is declining in Ontario, from 67.1 per cent in 1961 to 62.9 per cent in 1971. In large urban areas the story is even more discouraging. In Metropolitan Toronto, home ownership has declined from 59.9 per cent in 1966 to 51 per cent in 1971. In the city of Toronto, the 1971 census reveals the predominance of tenants over owners—58.4 per cent of dwellings tenant-occupied, 41.6 per cent owner-occupied.

The group we are concerned about today is very large in our population and quickly becoming a majority. It should not be necessary to cite examples of the rent increases that we are all so concerned about. Again, Mr. Speaker, I believe even the deputy minister was very surprised when he was on a talk show that people were phoning in to give him figures which contradicted the figures that he was giving on behalf of the government.

Our offices are receiving complaints daily. Thousands of moderate-income families are paying far too high a percentage of their incomes for shelter. My party believes it is absolutely imperative that tenants be protected from unjustifiable increases in rents, and most especially in the present situation of the extreme shortage of moderate-income accommodation—or moderate-cost accommodation, depending upon your point of view.

There is no alternative housing available. Families are forced to pay these exorbitant increases, and obviously some other part of the budget suffers—be it food or whatever. In many situations they have one choice, and that is to go without necessities. There is one other alternative, and that is doubling up. There is no question in my mind at all, Mr. Speaker, that the doubling up of families is occurring at an unprecedented rate. In addition, we have known incidences of actual homelessness.

Of course, this is further aggravated as a problem by the change from rental accommodation to condominium. That kind of conversion is also affecting this particular group in the community.

We believe equally that the landlord must be protected from tenants who do not meet their rent obligations, or who abuse the property. The bill makes provision for that situation.

What I am proposing in this bill is quite straightforward, quite clear. We are requesting that there be established in all municipalities over 50,000 in population, landlord and tenant review boards. Of course, that is a mandatory provision. The objects of the boards are set out in the Act under section C:

(a) to advise landlords and tenants in tenancy matters;

(b) to receive complaints and seek to mediate disputes between landlords and tenants;

(c) to disseminate information for the purpose of educating and advising landlords and tenants concerning rental practices, rights and remedies;

(d) to receive and investigate complaints of conduct in contravention of legislation governing tenancies;

(e) to conduct hearings concerning rent increases, to allow the increase or order the landlord to decrease or freeze the rent;

(f) to conduct hearings concerning vandalism and damage to premises by tenants and to order a tenant to be removed from premises where wilful damage has occurred;

(g) to conduct hearings concerning rent arrears by a tenant where the arrears are for two months or more, and to order a tenant to be removed from premises where the arrears in rent are substantial.

Each board must have the right to subpoena witnesses and documents. On the basis of the evidence before it, the board would hold the rent at the present level as suggested or deal with it in accordance with the provisions of the amending legislation.

We also believe that if a landlord proposes to increase the rent there should be reasonable notice to the tenant — we say approximately three months, although that is not hard and fast in our proposal—to allow the tenant time to notify the board that the tenant wishes a hearing.

I was very pleased to hear the deputy minister advise the people calling in on this show that he agrees with this, in part, and with some of the features of the proposed legislation, and that he felt there had to be some move toward granting greater security of tenure to tenants. Certainly, in the city of Toronto there are many people who are unable to obtain a lease at all. A one-year lease in many cases has now been reduced to six months and there is simply no built-in security whatsoever.

Mr. Speaker, I don't know how to get through to this government the urgency of this particular situation as I see it, and not only in my riding. I'm sure any other person representing a Toronto riding would have to know this is a major concern. My friend from Windsor-Walkerville (Mr. B. Newman) will be discussing the concern and the problems in his area.

Ontario Housing Corp. cannot provide all of the accommodation for people in this province, nor do I feel that it ought to. But when you have a situation today where people are really forced, where they're under duress and have no place to go, to have a government sit silent on this subject is completely unbelievable to me, as well as being absolutely unacceptable.

Mr. Speaker, while all of this is going on, there is another problem that faces the people living in apartments—that is, with the doubling up that has to occur if people are to survive, there is a deterioration in many cases in the maintenance of buildings. This is not entirely the fault of the landlord. Elevators don't work, partly because they were designed to take a certain load depending upon the design of the building, and once you've doubled the number of persons in the building, naturally, this sort of thing gets out of hand.

Surely it is incumbent upon the builders to have some kind of responsibility to the people of this province and not to take what the market will bear, but to assure us that what they are charging is fair, having regard to their particular expenses. There is no doubt that some of their expenses have gone up. They're increased greatly, taxes probably being the first that one could look to, as have water, hydro, the cost of staff for maintenance and security. There is no question in my mind that the owner of buildings is entitled to have consideration given for the increases in the costs which he faces.

By the same token, however, we can be told that, of course, rents have not been increasing as fast as other features until recently. This is the apology of the government to the people at this point—that actually the developers are only trying to catch up with what other people have been experiencing by way of increases in other commodities over the years. That, Mr. Speaker, is just not a good enough answer, particularly when one looks at the importance of housing to the people of this province.

Certainly if Ontario Housing or the ministry had been able to get further into the field of housing instead of simply developing schemes on paper, perhaps the situation wouldn't have been so bad as it is at the present time. We see no particular thrust toward real new building, although we do hear a great deal about new proposals which will basically take effect, maybe in 1976. But what are people going to do right now?

I wish, Mr. Speaker, that this particular debate could be carried on in a non-partisan fashion, because I think, and I submit to you, this is a matter critical to the people of the province and we should all be looking for some solution to this situation.

I understand that a review is currently going on of the Landlord and Tenant Act. But a review, Mr. Speaker, has to have some terminal point, and if there were a review it should have had an answer to us months ago. I don't see how the members on the government side have escaped hearing of the problems. I can't understand why they haven't put their minds to bear on this situation.

Let me say this, Mr. Speaker. When people become frightened, when they become anxious, where they have no security of tenure, where they see that their rents can increase month to month, as in some cases is happening—it is happening here. The member is shaking his head—

Mr. J. R. Smith (Hamilton Mountain): It's terrible.

Mrs. Campbell: But it is happening here.

Mr. Cassidy: The member is probably doing it, too.

Mrs. Campbell: —then you have people who will not sit idly by and wait, and the government face a continuing and growing demand for rent controls. There is no doubt of that in my mind. The fact that Toronto has asked for it is just a start.

Mr. Speaker, I have used up my available time. I would hope that some of the things I've said will cause the government to give thought to these concerns. But as I look about me I have that horrible feeling that I have in debate here, that there are so few in the House—

Mr. J. E. Stokes (Thunder Bay): We are listening.

Mrs. Campbell: —there are so few concerned—at least, they appear not to be concerned—and you wonder if you are just standing here for the sake of hearing yourself speak—

An hon. member: No, the member is not.

Mrs. Campbell: —over something which is as vital as this is. Thank you, Mr. Speaker.

Mr. Speaker: I have the member for Algoma down for the second speaker.

Mr. I. Deans (Wentworth): How does that happen?

Mr. Speaker: The member for Algoma.

Mr. B. Gilbertson (Algoma): Yes, Mr. Speaker. it is too bad that the member for Wentworth had to sit down and let me speak. When I think of how efficient—

Interjections by hon. members.

Mr. W. Ferrier (Cochrane South): I would have thought the chairman of the caucus would have—

Mr. Gilbertson: —the members are, I am just one of the—

Mr. Deans: What's this got to do with the bill?

Mr. Gilbertson: I am just more or less pinch-hitting, but—

Mr. Deans: What the member is really saying is that he has nothing to say, so he will spend the time saying nothing.

Mr. Gilbertson: No, no, that's not it.

Mr. Deans: It is.

Mr. Gilbertson: That's not it.

Mr. Deans: Well, say it then.

Mr. Gilbertson: That's not it. I am concerned about—

Mr. Deans: Don't waste other members' time.

Mr. Gilbertson: —about landlords and tenants.

Mr. R. Gisborn (Hamilton East): How many apartments has the member for Algoma got in his riding?

Mr. Gilbertson: I have had the occasion to be involved.

Mr. Deans: As a landlord or a tenant?

Mr. Gilbertson: And, I know that—

Mr. Deans: Was the member a landlord or a tenant?

Mr. Gilbertson: The first thing I want to do is to congratulate and commend the member for St. George for taking the initiative to bring forth this particular bill. I think that many times when a person brings forth a bill like this, even though it doesn't become legislation—they tell me that it's very seldom that a private member's bill ever becomes legislation—

Mr. Dean: We don't need a lesson on how the House operates. Talk about content.

Mr. Gilbertson: But it has happened; it has happened—and maybe this could be the time that—

Mr. B. Newman (Windsor-Walkerville): Does the member support it?

Mr. Gilbertson: —the government would see fit to pick this up and—

Mr. Deans: Would the member support a free vote now?

Mr. Gilbertson: —it would become legislation. I understand that a few years ago one of the opposition members introduced a private bill, and it became legislation.

Mr. Ferrier: We don't want the member to lay a heavy on the subject.

Mr. Gilbertson: And it was that fine member for Huron-Bruce (Mr. Gaunt)—would it be?

Mr. B. Newman: Huron-Bruce.

Mr. Gilbertson: Huron-Bruce.

Mr. B. Newman: He is a fine member.

Mr. Gilbertson: Now, it is very unusual that a private member's bill becomes legislation, but in this particular case it did.

Mr. Ferrier: One of the bills of the member for Sudbury East (Mr. Martel) became legislation.

Mr. Gilbertson: Now, I know the purpose of this bill. We have many landlords in Ontario and many tenants, and so many different kinds of things can happen on either side. There can be unscrupulous landlords and tenants; and they can create an awful lot of controversy. If you get a bad tenant, he can practically ruin an apartment. Also, landlords can take advantage of tenants and raise rents unduly, and so on. I am sure that a bill like this for a tenants' review board, may not be such a bad idea.

Mr. M. Gaunt (Huron-Bruce): Let's have a free vote.

Mr. Gilbertson: I say again, it is important for members to take the initiative, whether it is on the opposition side or the government side, to bring in a private bill. I think every one of us should put our thinking caps on, because even though it doesn't become legislation, it will be food for thought.

I have said before and I will say it again, that there are often times when the government will pick up these ideas and eventually one will see a bill introduced in the House that will be very similar to a private member's bill, perhaps. So I think it's a very good idea. I have read this bill over. I am not completely familiar with it, but I have looked at it.

Mr. Ferrier: That's an accomplishment.

Mr. Gilbertson: I would say practically every bit of this bill is something that would be really constructive. The hon. member suggests in her bill how many members should be on the board and so on. When we think of establishing boards, we also think of the remuneration involved, the cost and so on. I don't suppose she could suggest how much these members should get—the chairman and the vice-chairman and the rest of the members.

Mr. F. Young (Yorkview): That's a matter for regulations.

Mr. Gilbertson: I suppose it wouldn't be too difficult. They would soon find out because the first thing a board member wants to know when it gets established is, "What is there in it for me? How much of my time is going to be taken up?"

Mr. Deans: No. there are a few people who would do it for nothing. There are some of us who do something for nothing occasionally, unlike people opposite.

Mr. Gilbertson: I'm sure the member never turned down his remuneration.

Mr. Deans: No, but I sat on a landlord-tenant bureau for nothing.

Mr. Gilbertson: The member did?

Mr. Deans: Yes.

Mr. Gilbertson: Well, he must have had something in mind for later then.

Mr. Deans: I had something in mind. They needed representation; that's why.

Mr. Speaker: Order please. Will the member just continue his discourse?

Mr. Ferrier: The member for Algoma shouldn't judge everyone by himself.

Mr. Deans: Discourse? Come, come!

Mr. Gilbertson: I notice section 1, subsection 2 of the bill says: "The council of every municipality, where the population of the municipality is greater than 50,000 persons—"

Mr. Deans: Why doesn't the member read the whole bill into the record?

Mr. Gilbertson: —"shall by law establish a landlord and tenant review board subject to the approval of the Lieutenant Governor in Council." I must say in the area where I come from we don't have to worry too much about that much of a population, but we do have our difficulties up there.

Mr. Deans: And the member is one of them.

Mrs. Campbell: He should be happy to accept the amendment.

Mr. Gilbertson: These are on a smaller scale, I would say to the hon. member for St. George, but we have every bit the same content of difficulties.

I am sure there will be others, I would say to the member, who will be speaking on this. I don't know what their comments will be but I have read this over—

Mr. Stokes: He agrees with it.

Mr. Gilbertson: —and it looks to me as though it is a pretty good bill.

Mr. Deans: Well drafted on nice paper.

Mr. Gilbertson: I say again with the magnitude, the money and the number of people involved this is a very good idea. I think the member had a good thought there. I would say to the member that I am looking favourably on this bill of hers.

Mr. E. J. Bounsall (Windsor West): The member should use his influence and have this bill enacted tomorrow.

Mr. Gilbertson: I didn't get that interjection. Maybe it is just as well. I understand that the member for Wentworth will be making comments on this bill too, and there will be others. Mr. Speaker, I will just sit down and let someone else have an opportunity.

Mr. Speaker: The member for Wentworth.

Mr. Deans: Thank you, Mr. Speaker. I want to begin by saying to the member for St. George I am in support of the principle of the bill, I don't think there is any doubt that on this side of the House there is major support for the principle of establishing some form of control of rentals. I don't necessarily agree with each clause in the bill but we would debate that, if it ever came to a clause-by-clause debate.

I want to say that the problem that we have got is the result of the inaction of the government in the housing field. We wouldn't require a bill such as this if this government had done something over the last 10 years to try to make sure that there was adequate rental accommodation available for people in the province at a price that they could afford, and if they had used the Ontario Housing Corp. properly to build apartments and to build townhouses and to build homes so that people who currently are forced to be at the mercy of the private landlord would have been able to have an alternative marketplace to which to go. I think that the need for this bill rests four-square with the government.

In addition to that, I want to say that in my time in the House, which now is almost seven years, I can recall the city of Ottawa asking for the power to have rent control established strictly for that municipality. It was voted against by the government members in the private bills' committee and it never came forward again. I can recall the city of Toronto indicating that it would have liked to have attempted a pilot project, but it obviously met with little favour from the government.

I know that many people have brought to the government's attention the major problems that confront them in attempting to find suitably priced rental accommodation.

I want to suggest to the member for St. George that one of the things that crosses my mind as I think about rental review boards is that the board ought not to have power to vary; I think I said that in the last debate. I'm interested in seeing the board make a judgement on the size of the increase being requested. The landlord or the tenant—it would likely be the tenant—would have the right to apply to the board. The board would review the books of the landlord and determine whether or not the rental increase being requested was reasonable in the light of increased costs and expenditures. It would have the power either to approve or to disapprove but not to vary.

The reason I say that is because I believe it would bring about a great deal more truth and a great deal more factual information about the conditions faced by the landlord. The landlords would be required to come forward with pretty sound arguments, based on facts, from which the board would be able to make its decision. Otherwise, they may use the old game of asking for a lot and hoping to get a little. I think we could avoid that.

I think the fact that there would simply be either approval or disapproval would tend to cut down the number of times that rental increases were put into force. Landlords would be much more careful. They wouldn't have to go before the board as frequently as they might in the other situation, because landlords in the first instance would become extremely careful about the way in which they imposed rent increases. They would look very carefully, knowing full well that they might be dragged before the board at some point, and would attempt to make sure that whatever they were asking for was justi-

fiable or as close to being justifiable as possible. That would mean that the board wouldn't have the great number of cases to hear in the province over the course of a year because of what it would instill in the landlords in terms of the way in which they would approach their need to ask for additional moneys.

I think that in itself probably would create a new environment in rental accommodation. It would create a different approach, both by tenants and by landlords. It might even be possible to gain support from some of the more reputable landlords for that kind of an approach, because they would know that provided they were prepared to come forward with all of the justification necessary and to document it by opening their books, in fact they would then be entitled to get a rental increase in accordance with whatever was necessary to meet the need.

The other problem that I have—and that's not what is in the bill, just in case the member from Windsor thinks it is; it isn't in the bill—

Mr. B. Newman: The member thinks not?

Mr. Deans: There is, in the bill, the power to vary if need be; either to approve, disapprove or vary. I suspect that ought not to be there, and there's no point in us arguing; I think we could agree on that. I think we could probably come to an agreement on that if this bill ever got any further than it will.

The other problem is this, though: The difficulties we are currently facing have been coming on us over the last five, six or seven years. It was evident to most of us in the House who have to deal with tenants and tenants' problems, that we were going to be faced with a day when it would be absolutely necessary to impose some form of rental control in the province.

The reason is pretty obvious. For the majority of people, far more of their disposable income was taken up by fixed-cost items —rent, food and fixed-cost items of that nature—than ever was taken up before. What we are really facing is that unless we are prepared to deal with this and to try to provide accommodation for people within their means, we are going to find that there will be less and less truly disposable income available to people. As that disposable income becomes less and less, they will be able to purchase less and less. As they are able to purchase less and less, there will be less and less manufactured. And as the manufacturing is diminished, there will be fewer and fewer people working. That is the sort of snowballing effect of having too high a ratio of fixed-cost items taken out of the family budget.

As housing costs rise to 40, 50 and 60 per cent of people's incomes, and as food costs rise to 30 and 40 per cent of people's incomes, we find that less and less of their income is available for the purchase of the wide range of other things which make up the standard of living which most of us have enjoyed over the years. As we allow that to occur, I say, as sure as I stand here, that it will have an adverse effect on the entire economy, an effect which we in Canada, and we in Ontario in particular, cannot afford to have.

If we carry this bill on beyond just rental accommodation into the whole field of housing, to try to ensure that people won't be required to put out more of their income than they can reasonably afford—given all of the other wide range of things which they must be capable of purchasing to maintain the economy and the economic prosperity—what we are then doing is trying to say that the economy in Ontario cannot stand to have such a large percentage of people's incomes taken by way of accommodation costs.

What we are saying then is that to deal with it in the field of rental accommodation it becomes essential that there be a justification point, a point at which landlords and owners of buildings have to justify what they extract from the economy. They have to justify their rental increases; they have to be prepared to say publicly, or to the board, which is in effect publicly, why it is that they must have more of the available dollars, dollars available for purchase throughout the economy, for their own particular use; why it is that they should be expected to be allowed to have more of the available dollars channelled into their pockets, thereby reducing the purchasing power and purchasing capacity of people out in the marketplace.

I think it is far more profound than just simply a statement of whether or not landlords would like to have rent control. They wouldn't like to have rent control; nobody would like to have rent control. But quite obviously the actions of the landlords over the past number of years have indicated to me, and I suspect to a lot of other people in the House, that they—not all, but many of them—are incapable of exercising self-control. When you can't exercise self-control, someone else must exercise it for you.

There are far too many landlords—a minority, I suspect, but nevertheless far too

many—who are prepared to take from the market whatever they can get, knowing full well the costs of moving, the dislocation of family, the pressures on people in general, plus the very fact that people tend to like to establish a home—not just a place to live, but a home—and because of these factors people tend to pay perhaps a little more than they would normally pay rather than face the additional costs of moving to another place. Landlords take advantage of that situation, and they shouldn't be permitted to.

I think, in very general terms, that we have to have a way to ensure that no sector of the economy can extract more than can be reasonably borne by the economy as a whole. I think that is really what we are talking about; it's making sure that the poor are able to find accommodation at a cost they can afford. I want to say to you, Mr. Speaker, that that won't occur in the private sector. The poor won't be able to find accommodation in the private sector; it will take a massive public housing effort in order to provide accommodation for them.

But the middle-income people who are currently being gouged—and I know of many of them, as does the member for St. George, and I suspect so do other members—are not gouged simply because they fall into something called middle income, and because landlords think that because they are in that category they are able to extract more and more from them because they ought to have it, by some statistic put out by Statistics Canada. I think what we have got to be sure about is that people have the opportunity to enjoy a better lifestyle and a better standard of living, and that requires that we not allow any sector—housing at this point— to gouge more out of the public and take more out of the economy than can be reasonably justified at any given time.

Mr. Speaker: The member's time has just expired.

Mr. Deans: One final point, one second: there is a drastic lack of accommodation in this province for people of special need—the crippled, people who require to be in wheelchairs, people who are unable to be mobile. There is no accommodation provision in this government's plans for those kind of people. There has to be special attention paid to them. Thank you, Mr. Speaker.

Mr. Speaker: May I point out to the remaining speakers—there are three who have indicated they wish to speak—that if each one could knock a minute or two off the 10 minutes it would be appreciated, I am sure, by the remaining members

Mr. Deans: I only took 10.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman: Thank you, Mr. Speaker. I rise to support Bill 47, An Act to amend the Landlord and Tenant Act, as introduced by my colleague, the member for St. George. If anyone in this House knows the need for such legislation, I am sure we'll all agree that the member for St. George certainly does. She lives in an area that we can almost call Rentsville, surrounded solely by all types of highrise. There are very few one-family accommodations in the area, an area in which people are practically always being taken advantage of when it comes to the spiralling costs for rent.

Mr. Gaunt: She is my member.

Mr. B. Newman: Mr. Speaker, she of all members has knowledge of the need for this legislation and I would assume that that was one of the reasons why she introduced this legislation.

One of the big problems as far as rental accommodation is concerned, is that of the security of tenure. An individual renting accommodation doesn't know if he is going to be able to stay in those accommodations for any length of time beyond the period of the lease, and if he does remain in the accommodations, he never knows at the expiry of the lease how substantial his rent increases may be.

One of the second concerns is the unconscionable increase in rental payments. Not all landlords are such, Mr. Speaker, but there are too many and that is probably one of the reasons why the member for St. George thought enough to introduce such legislation.

The fact that people have to go into rented accommodation is as a result of the failing policies of this government to provide the incentive for the building of sufficient housing accommodation. There is the decline of home ownership as homes get beyond the financial ability of the average citizen to purchase them. With the spiralling and the mushrooming effects of inflation, you can readily see, Mr. Speaker, that more and more people are being driven out of the idea of ever owning their own home and are going to have to resort to rental accommodation.

Mr Speaker, one type of accommodation that we haven't heard mentioned this after-

noon and that can be sort of an assist not only in home ownership but in providing rental accommodation to people is that of mobile housing. I will make mention of this a little later in my comments and will point out where mobile housing should be included in this legislation. In fact, in the report of the advisory task force on housing policy, they do make mention of it on page 41: "It was recommended that mobile homes be covered by the Landlord and Tenant Act."

Mr. Speaker, this bill not only attempts to protect the tenant but it also does protect the landlord. As you can readily see from the explanatory note, these boards would have the power to determine the amount of rents and to order tenants removed from premises for non-payment of rent or wilful damage of premises. One can see both sides of the fence are covered by this legislation.

This bill is all-encompassing, Mr. Speaker. It does have teeth in it. It does permit the board to increase or decrease rentals according to the justification provided to it by the landlord or by the tenant who can come along and show that his rentals are abnormally high.

Mr. Speaker, there isn't one of us in the House who hasn't heard almost daily pleas from single-parent families, from elderly, from people in all sorts of walks of life, of unconscionable, abnormal rental increases. The pleas quite often lead to actual crying on the other end of the telephone, where a mother will come along and telephone and say that her rentals have been increased $25, $30, $35 or $50. In fact, Mr. Speaker, even Ontario Housing in its latest increase of rentals in my own community in some instances raised the rental from $52 up to $107 in one fell swoop, so we can see that even government sometimes can be called a gouging landlord.

Now, Mr. Speaker, quite often you find new development put in the more remote areas in a community. As a result, the new developments, whether they be for government geared-to-income housing or regular type of rental housing, put the individual at a distinct disadvantage—especially the individual on a fixed income or on some type of a governmental assistance programme. It puts him at a real disadvantage—or the working poor at a real disadvantage—when it comes to even renting those accommodations. The rent may be attractive, it may almost be within the means of the individual, but there is transportation that adds to the cost of rental or adds to the cost of accommodation. As a result, the individual who goes in there quite often has to deprive himself of other necessities of life simply to have shelter.

Mr. Speaker, my own community attempted to have rent controls back in the Sixties. Council, in its wisdom, turned down the proposal at the time. However, as a result of the pleadings of various members of council, they did set up a landlord and tenant advisory bureau.

Mr. Speaker, I have checked to see how busy that bureau has been. In the month of August there were 292 telephone calls to the landlord and tenant advisory bureau. Now, this bureau has no teeth whatsoever. All it can do is attempt to get the landlord and tenant together; get them to re-think their positions and try to resolve their problems.

In the month of August there were 292 telephone calls, and of the 292, 19 people actually came down to the city hall to speak with a Mr. Ouelette, who is in charge of this bureau, in an attempt to have their problems resolved.

In the month of September there were 306 appeals on the part of either the landlord or the tenant concerning their problems. Of these, 32 of the 306 people were so concerned over their problem that they actually came down to discuss it with Mr. Ouelette and explain more fully what their situation was like and attempt to have the problem resolved.

In the month of October there were 329 calls. And 22 came down and appealed to Mr. Ouelette. You can see, Mr. Speaker, that by multiplying these figures by 12, in the course of a year over 3,600 individual residents in the city of Windsor would be contacting the landlord and tenant advisory bureau in an attempt to resolve problems.

Now, that bureau has no teeth. This legislation does have teeth in it. Had the government thought to introduce such legislation or amend the Landlord and Tenant Act encompassing the idea of this legislation, a lot of these problems could have been resolved in the first instance. The landlord and tenant bureau, or the board as it's called, could have talked to both landlords and tenants, and by discussing their problems I assume they would have been able to resolve them quite readily.

I will conclude my remarks very shortly, Mr. Speaker. I did mention earlier that one of the answers to the housing shortage could be mobile housing. Now, in the mobile housing field there is still a problem: Mobile housing is looked upon as a sort of second-class type of housing. The individuals who ac-

tually go into mobile housing, Mr. Speaker, have problems with their landlord. And as a result of their problems, I think they should be included under any landlord and tenant legislation so that they can resolve their problems, the same as others.

Mr. Speaker, it's a real pleasure to endorse my colleague, the hon. member for St. George, in her attempt to fight for the little people.

Mr. Speaker: The hon. member for Peel South.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I'm pleased to join in this debate. The fact that two bills dealing with this social problem have come forward to the Legislature this year I think is indicative that there is concern. It is a problem.

However, the first one was a bill calling for rent control. It came last May from the hon. member for Ottawa Centre. Both these call for rent control any way you cut the cake. To hear the preceding speakers one would think that nothing had been achieved by this government. There is still the fact that the 100,000 or 105,000 units—somewhere in that area—that were produced last year was the largest ever total in Ontario and, of course, exceeds the numbers constructed in the other provinces. I think it exceeds all those put together. I don't have the statistics on that, but I know it is very, very significant.

So there is a real effort to provide the needed housing; but obviously we need more. People are flocking into this province because it is a very attractive place to live, and regrettably they are not spaced out as we would like to see them. There is a great attraction that Metro Toronto has, and Hamilton and the "golden horseshoe" generally, so we do need more housing.

Just to speak to the bill for a moment, this bill, in effect, is just to change the one section—I see the member for St. George is nodding her head. Section 110 of the present Landlord and Tenant Act empowers municipalities to voluntarily establish landlord and tenant advisory bureaus, and these bureaus have advisory powers only. They would have no power to adjudicate disputes or to make binding decisions. Accordingly, if they cannot resolve a dispute using persuasion, it would be necessary for the matter to be referred to a lawyer and then ultimately, if necessary, to the courts.

The philosophy of the present section 110 is that bureaus be established on a purely voluntary municipal basis.

Mr. Cassidy: It hasn't worked though.

Mr. Kennedy: I am not too sure they haven't worked. We have an interesting development in Mississauga. There is a one-man bureau which handles these complaints and I think he gets along quite well. I haven't heard of any significant problems, not lately anyway, and I think it is working not too badly, so I just don't accept the remarks of the member for Ottawa Centre as whole cloth.

Anyway, it was thought in 1970, when section 110 came into force, that only certain municipalities would require the bureaus and it would therefore be wrong in principle to require all municipalities, regardless of their size, to establish bureaus. So it is a voluntary thing, and I am not sure what happens when the population is under 50,000 or over 50,000. It seems to me they could have 49,000 and have as significant a problem as in a larger municipality.

Mr. B. Newman: Does the member recommend an amendment to the section?

Mr. Kennedy: Yes. I am just saying, I wonder if we need a figure at all. I don't support rent controls, and I will develop that in a minute.

The member for St. George's bill establishes several major changes in principle by repealing the present section 110 and replacing it with a new one. We mentioned the 50,000 persons who are needed to establish this review board and I don't see any great purpose in having that figure at all.

Second, under section 110(6), boards would have not only the advisory functions of the present boards but also have powers to adjudicate and decide things, such as vandalism and damage conduct hearings concerning rent arrears, to order a tenant to be removed from the premises where the arrears in rent are substantial, decide the amount of rent that is reasonable in all circumstances, and may order that the rental agreement be continued at the rental mentioned in the board's order.

So it is obvious that this provides a form of rent control and it passes significant powers to a review board. Presently anyway, the government's position is, as I understand it, that rent control will not at present be employed by the government, but rather other devices, such as increasing supply and so forth.

Mr. Cassidy: The government has lined up with the landlords.

Hon. Mr. A. Grossman (Provincial Secretary for Resources Development): Has the member ever thought of anything else but, "Man the barricades"?

Mr. Kennedy: I'll tell you of some of the things that happen where they do have rent control or nationalization, Mr. Speaker. In Sweden they wait five years for an apartment. In British Columbia rent control isn't working. It was in the paper the other day that rather than rent a vacant apartment they're leaving them vacant.

Mr. Ferrier: The member doesn't believe everything he reads in the papers, does he?

Mr. Kennedy: This is a real worry. It's not working in Quebec, despite what we said last May.

Mr. Cassidy: It's been working for 25 years in Quebec.

Mr. Kennedy: Not well. It's not working in New York, and this is a real worry. In trying to correct and provide for more apartment units and dwelling units, it may backfire and create a worse situation insofar as shortages go. We can't force people to build them unless we go to nationalization as Sweden has done.

Mr. Cassidy: The government gets sucked in by the landlords every time they make that argument.

Mr. Speaker: Order, please. We're very short of time. Will the hon. member shorten his remarks somewhat?

Mr. Kennedy: I beg your pardon?

Mr. Speaker: Will the hon. member please keep in mind my request to give the last speaker at least a small opportunity to speak?

Mr. Kennedy: Yes, Mr. Speaker, I'll try to conform to that request.

The federal government has rejected price controls and, as we said last May, how do you treat this one issue in isolation? The member for Wentworth had some comments in that regard, and I think he recognized it. Incidentally, in his remarks he mentioned something about providing for the handicapped in buildings. I understand that the redevelopment of Mohawk Gardens in Hamilton provides a certain percentage of housing units for the handicapped. This was as a result of a community group asking for it, and they've agreed to do that. So that's a step in the right direction too.

But what we need, Mr. Speaker, is more federal participation. We need to expand limited-dividend housing. The member for Windsor-Walkerville mentioned that the government has done nothing—and I touched on this before.

Mr. B. Newman: I didn't say that.

Mr. Kennedy: Well, he implied that they weren't enthusiastic in providing incentives. We put more than $50 million into this—

Mr. B. Newman: There were only 64 senior citizens provided with accommodations in 1974.

Mr. Kennedy: —while the feds have put in only $25 million. They should get going on this.

Limited dividend housing, I think, is one of the best vehicles we could employ to provide incentives for more dwelling units. I think, too—and I see the minister is here—that we should take a look at this 20 per cent land transfer tax which is levied against foreign investors.

There was an article—I think Fraser Kelly was the author—

Mr. Speaker: Order, please. Time is just about up.

Mr. Kennedy: I will just close out then. We don't have the capital that's needed. We have something in the order of $1.5 billion. We need billions—$5 billion. We can't live in isolation. We can bring in needed capital under certain conditions, under our rules.

Mr. B. Newman: The member doesn't agree with the previous speaker.

Mr. Kennedy: I won't go on, Mr. Speaker; suffice it to say, that we should proceed, in company with the federal government, to provide more incentives to ensure that our housing supply is increased.

Mr. Speaker: The member for Ottawa Centre.

Mr. Cassidy: In one minute, Mr. Speaker, can I point out for the benefit of the House that the member for Peel South is willing to advocate a change in government policy to benefit foreign capitalists, but he is not willing to advocate a change in policy in order to benefit domestic tenants who are here in Ontario.

Mr. Kennedy: It is to help the people.

Mr. Cassidy: That's symptomatic about the government. They fiddle around the edges while the tenants of this province are being exploited week after week by landlords.

Mr. Gilbertson: The member should stop trying to make a big issue out of it and get on with his speech.

Mr. Cassidy: I'll put on the record one example of rent increases, which happens to come very close to home: It's my mother who has to pay this. In a bachelor apartment on St Clair Ave. her rent is going from $156 to $182 in the new lease in the first year and to $202 in the second year. That is happening to hundreds of thousands of tenants, Mr. Speaker.

Mr. Kennedy: On a point of order—

Mr. Speaker: Order, please. Is there a point of order?

Mr. Kennedy: Yes. I said that the foreign funds—or funds from anywhere they can come from—would come in on our terms to increase the supply so that the persons needing rental and other accommodation, and for whom I have a great sympathy, will have it provided it to them.

Mr. Speaker: Order. Order, please.

Mr. Cassidy: Thank you, Mr. Speaker. That's nonsense. Foreign capitalists can bring in money and mortgages with no restrictions whatsoever. What he says is he's willing to pander to capitalists who want it on their terms and not on our terms. We say that's wrong. We endorse the principle of the bill. I have some disagreements, as the member for St. George knows, about the practicalities of this particular proposal; but we've debated that during the course of my bill on rent control and security of tenure. Certainly in principle she and I were together. I wish that she spoke for all of her party in endorsing rent control in order to protect the tenants of the province. Thank you.

Mr. Speaker: This completes this order of business.

Clerk of the House: The 33rd order, resuming the adjourned debate on the motion for second reading of Bill 155, An Act to incorporate the Algonquin Forestry Authority.

It being 6 o'clock, p.m., the House took recess.

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Monday, November 25, 1974

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. Speaker: The hon. member for Peel South.

Mr. R. D. Kennedy (Peel South): Just before we start proceedings, I would like to take the opportunity to introduce to members of the Legislature a group of cubs, 1st Erindale "C" Cub Pack under Mr. Jan Graper and other leaders. Some of these young gentlemen come from Peel North and some from Peel South. Would the members join me in welcoming them here?

ALGONQUIN FORESTRY AUTHORITY
(continued)

Mr. Speaker: The hon. member for Scarborough West.

Mr. S. Lewis (Scarborough West): Thank you, Mr. Speaker. That's quite lavish. I appreciate that widespread applause, let Hansard record.

Hon. J. R. Rhodes (Minister of Transportation and Communications): From all sides of the House too.

Mr. Lewis: Mr. Speaker, I think the applause was evident everywhere. If the Provincial Secretary for Resources Development (Mr. Grossman) was here, he'd have me correcting Hansard; but he is not, fortunately.

Mr. Speaker, I begin with an apology. Getting a trifle carried away at 5 o'clock, I think I described, amongst a number of adjectives, the ministry as corrupt, and I apologize for that.

I must say, Mr. Speaker, that my problem is of, course, that I am so personally angry about the ministry's behaviour around the Elliot Lake lung cancer report that it clouds my attitudes towards a number of other issues in that ministry and provokes me to unusual, uncharacteristic hyperbole. It is inefficient, incompetent, decadent, debauched perhaps; but corrupt, no. I withdraw that word as one which would be unseemly. I am sorry I used it.

Mr. Speaker, to recapitulate briefly on the five or six minutes I took before 5 o'clock, this party continues to be opposed to the logging in Algonquin Park, unequivocally. Can I say to the hon. minister that that was the most admirable thing about his statement? It's the first government document I have seen which says unequivocally instead of unequivocably. I thought to myself what a sign of linguistic maturity, if nothing else, in the Ministry of Natural Resources, and it made me feel better. That apart, Mr. Speaker, I want to repeat that we could have supported the Algonquin Forestry Authority as a phasing-out operation, but cannot support it under any circumstances as a perpetuation of logging in the park.

We also continue to feel, Mr. Speaker, something that many of us in this party have felt for a considerable period of time, and that is a kind of inherent conflict of interest in a Ministry of Natural Resources attempting to preserve something as environmentally fragile as Algonquin, while at the same time engaging in the extraction of timber. I realize that this ministry encompasses many such potential conflicts of interest. This is the ministry which looks after the parks generally. This is the ministry which handles pits and quarries, and at the same time tries to maintain some kind of environmental preservation with it. This is the ministry which is primarily involved in extraction, whether it is the extraction of minerals or the extraction of timber. It has always seemed to me incompatible; and it has always seemed to us, I think, on the opposition side of the House, generally incompatible that the one could serve the other. Inevitably the ministry will be moved to extracting every inch of that 15 million to 20 million cubic feet per annum which will be taken from the soul of Algonquin.

Mr. Speaker, during the course of the debate on Algonquin Park much has been said about jobs. Before I get into a couple of details which I hope will be of value, I want to say a word about the jobs. This is not a situation where the choice is stark between environment on the one hand and jobs on the other. That kind of difficulty presents itself rarely in this province, and I have never felt that that juxtaposition, environment or jobs, is a realistic one anyway.

In this case, it's particularly unrealistic. In this case, Mr. Speaker, it is our argument that we could preserve every single job that is presently in existence by exploiting the area within a 50-mile radius of Algonquin, and that there is absolutely no reason in the world for a job, directly or indirectly, to be endangered by the policy which we put forward or which the Leader of the Opposition (Mr. R. F. Nixon) put forward this afternoon; not a single job.

Obviously if one phased out the logging over four or five years, Mr. Speaker, which is the appropriate, the thoughtful and the reasonable way to approach Algonquin, obviously if one did that then the jobs are transferred gradually and reasonably to the periphery of the park and to the area within the 50-mile radius. It would probably be unnecessary for people to move; it would be unnecessary for them to lose any pay; it would be unnecessary for the communities of Pembroke or Renfrew or Barry's Bay, or all the way over to Muskoka and Parry Sound. to be jeopardized in any sense by the policy which we are espousing in the opposition. The jobs would be secure; I want to make that clear, and nobody suggested for a moment that it should be otherwise.

I want to say something about the minister's statement when he introduced the bill, because it said much about the approach the ministry has taken. The minister said:

> At this time I wish to stress that I have reconsidered the need to harvest timber from Algonquin Park and I can reaffirm unequivocally that the 50-mile zone is not a feasible alternative source of supply for park-dependent mills for the following reasons.

And then he gives a number of reasons based on Mr. Pierpoint's study, to which I'll come in a moment. But it's reason number two and reason number three which are really quite central. Excuse me; just as the minister consults with his research staff and expertise under the gallery, so I do mine. Do these figures correspond with our calculations over the dinner hour? Good, okay.

Now, Mr. Speaker, let me go on. The minister says:

> The industry of the region presently depends upon private woodlots for 40 per cent of its wood supply, but based on current trends in woodlot owner characteristics and attitudes, this source of supply is not secure and cannot be guaranteed for the future.
>
> The large area covered by the 50-mile zone, the checkerboard pattern of private and Crown land, and the scattered nature of the excess Crown timber present serious operational and financial problems which limit the recovery of this wood.

Let me say something about that for a minute, Mr. Speaker. What has not been paid enough attention to is the fact that the Pierpoint report, the document central to this whole debate now, deals only with Crown land. The Pierpoint report deals not at all with private woodlots. What is interesting, of course, is that what the minister is saying is that the private woodlots, held outside Algonquin Park, cannot be made operational to take up the slack of shifting the cutting from within the park to outside the park. And we in this party, as my colleague from Thunder Bay (Mr. Stokes) is going to tell you in a little while, we just repudiate that notion.

There is a certain inherent inconsistency in everything the minister has been saying. On the one hand he says he believes in good forest management, and on the other hand he plotted a 30 per cent available cut from allowable cut.

The minister talks so passionately about the Woodlands Improvement Act, and then says that it is not possible on private woodlots to get the kind of timber resources which would allow us to move out of the park. We reject that out of hand.

What the government is really saying is that it won't come to grips with the private ownership of woodlots; that it will not come to grips with appropriate harvesting in the private, non-Crown land sector; that it prefers to desecrate Algonquin Park rather than manage the private woodlots, in all of the creative ways which other jurisdictions have found, in order to provide the alternative wood supplies from Algonquin.

There is outside of Algonquin within a 50-mile radius some 60 per cent of the private woodlots which could offer for the industry alternative sources of supply. The minister never looked to that in a serious fashion; never. And all that I suggest is that the minister doesn't understand.

My colleague from Thunder Bay was explaining this to me over dinner. As a matter of fact, a very well known professional forester—who once worked for the ministry—explained to me at 6 o'clock that the possibility of developing private woodlots is enormous, but that this ministry, like too many ministries, refused to intrude on the private sector. Not to exploit them in this case, but

to cohere them, to consolidate them, to regulate them, to make them productive; to do all the things the minister pretends to do under the Woodlands Improvement Act and suddenly jettisons when it serves his purpose.

And when it served his purpose not to find the wood in the private or public sector outside the park, the minister commissioned the Pierpoint report. I want to say something about this report, because let's face it, Mr. Speaker, the debate around Algonquin Park hinges clearly on whether or not there is enough wood outside the park, within a 50-mile radius, to do the job that is done within. That's where it all hinges.

Mr. Pierpoint of the forest research branch was asked by the minister to prepare a study on the availability of wood outside Algonquin Park to satisfy industrial requirements; and he did. I think it was a mistake—just a personal reflection—to ask someone within his own ministry to give authenticity to the figures which his ministry produced. I don't think that's the way one does it. I think one gets an independent person or group to verify the figures one has produced. These figures are naturally suspect, because they are inevitably self-serving.

But let me assume, as I must and as I will happily, that Mr. Pierpoint did a job as best he could within his own very considerable knowledge and came to the conclusions that he did. I want to say one or two things about the report. I enjoyed it, but there were parts of it I didn't understand. Happily, the parts I didn't understand are irrevelant to the argument. The parts I did understand are useful for the argument.

The jargon was in some ways endearing but incomprehensible. I've heard of allowable cut, I've heard of actual cut, but until this report I'd never heard of available cut. And by God I hadn't heard of operational cruise, I'll tell you, Mr. Speaker.

Interjection by an hon. member.

Mr. Lewis: Well the member is speaking to a city fellow. That's right. When I think of operational cruise, I think of south Yonge St. and I think sometimes of perhaps a merchant seaman on a day off; but I hadn't for the life of me known that it applied to a sensitive analysis of the merchantable timber net which could be produced within the forest industry.

Well as I said, it was useful for me to learn the terms, to ask to have them defined and to read the jargon. Let me give members that delicious paragraph on page 4:

> On the basis of the inventory information, plus considerations of increment and rotation age or cutting cycle period [Thank God, Fred Burr understands it] an "allowable" area value is determined which, under a sustained-yield approach, would be allowed to be cut in the next period. An actual area is then delineated and allocated for cutting. The inventory estimates of the volume on this allocated area, plus the estimated increment, is called the "calculated allowable cut." However, a more intensive sampling must now be made on the allocated area to give a more reliable evaluation of the actual amount of timber which might be harvestable from the area. This is called an operational cruise.... [I'd like to understand if I could.]
>
> In the operating cruise a closer consideration of actual harvesting situations can be made, which together with the larger sampling provides the closer estimate of the amount of timber which is realistically available to the local industry. This "available cut" may well be substantially less than the calculated "allowable cut."

I want to tell you that may all have been pulled together for the laymen, but it really needn't have been.

What is important about this document is the figures contained in table 3-1—available cut, actual cut and minimum deficit. That's what is really important about this report.

Now, Mr. Speaker, I want to say something which will, I guess, surprise the minister a little. I think that Mr. Pierpoint's report—and we have looked at it very clearly, very carefully—demonstrates conclusively that there is enough timber of all the necessary hardwood and conifer species outside Algonquin Park, within a 50-mile radius, to provide all the requirements that are needed. The report demonstrates it conclusively and in a fashion which is both analytic and inspired. I thank the report for that, because that information has been hard come by. It's not easy, on the basis of the figures which the ministry gave us in May, 1974, to make that kind of assertion because those figures were disputed. I presume these figures cannot be disputed. These figures say to the New Democratic caucus—certainly to those colleagues with whom I've had a chance to discuss it—that there is, in fact, all the merchantable timber one would want.

I am going to have to engage in a slightly detailed discussion with the minister. I don't

know how else to get around it, but I want to show the minister where we think the fallacies lie and where the alterations can be made and why this report is, therefore, so useful.

First of all, let me show him what has been done in the report which makes some of the figures inaccurate, and I don't know how to deal with this except to put it to him directly. In the table which is central to this report, he indicates that in the area of hardwood outside Algonquin Park the available cut is 190,000 cunits, more or less. What is that, 19 million cubic ft? Yes, 190,000 cunits equals 19 million cubic feet.

Mr. Pierpoint says in the body of the text that the available cut represents 30 per cent of the allowable cut, and that would make an allowable cut outside Algonquin Park, within the 50-mile radius, of some 635,000 cunits on an average of the cuts in the two years. In fact, of course, the average of the cuts in the two years is nowhere near 635,000. The average is something like 340,000 from the minister's own figures. They are just not accurate. One of the reasons they are not accurate is because of the assumption that the available cut represents only 30 per cent of the allowable cut. Those to whom I have spoken find that very difficult to believe.

But let me take the minister to another place in that table and try to show him in two different ways how Mr. Pierpoint's report demonstrates that one can cut the timber within 50 miles of Algonquin. The minister calculates in the table—and this is the crucial table in the report—the deficit that would exist were he to depend on the timber outside Algonquin alone. He says, both in the report and in his statement, that that deficit would be somewhere in the vicinity of five million cubic feet per year. Take a look at the line under "minimum deficit," and in every case, under conifer logs and poles and conifer pulpwood he includes the shortfall; under hardwood logs and poles he includes the shortfall; but he doesn't include the surplus which exists under the hardwood pulpwood category.

It's very interesting that the one surplus which exists outside the park is not included in his table of calculations. Why isn't it included? Because, frankly, it's a self-serving document. My colleague from Thunder Bay has told me much in the last little while about pulpwood from hardwood and softwood sources, of the interchangeability in many operations now, of the variety that can be experienced from hardwood pulpwood in certain operations. It's interesting to note that the minister has managed to omit that figure. If he includes that figure he then finds out that his annual shortfall would be about 2.6 million cubic feet, not five million cubic feet.

But what are we talking about when we use a figure like 2.6 million or even five million? What are we talking about when we say that? If the minister will look at his own figures in the table very carefully, he will find that what we are harvesting by way of conifer and hardwood outside Algonquin is some 26 million cu ft per year—26 million cu ft—and if he has a shortfall of 2.6 million, then we are talking about a need for 10 per cent more outside the park than we are now getting—just 10 per cent more. His answer to me is that 10 per cent more represents a very large amount of timber. Fair enough—26,000 cunits, 2.6 million cu ft.

Let me take the minister back to Mr. Pierpoint's report and the astonishing shift he makes in the report. This strikes me as the Achilles heel of the document and I want to read it to the members carefully. On page 5, Mr. Pierpoint says in the third paragraph:

> For the areas in and around the Algonquin Park, operational cruise data were compared with the forest resources inventory data for the same forest stands. Data available for some of the working groups were not plentiful, but for more than half the working groups there were sufficient data to make reliable comparisons. In total, the operational cruise net merchantable volumes averaged just over 40 per cent of the inventory gross total volumes.

All right, just over 40 per cent. Now listen to the next paragraph:

> This related reasonably well to actual harvest cuts made in areas of good market availability and stand accessibility, where utilization rates would be high. For example, in the Bancroft district, experience shows that scaled wood volumes from harvest cuts are approximately 30 per cent of the inventory gross total volumes. Since this figure appears realistic for actual market and harvesting situations, it was used as a factor by which to multiply the allowable cut expressed, in gross total inventory volume, for each management unit to give an estimate of "available cut."

My question to the minister is, why does he have evidence of a 40 per cent net merchantable timber from Algonquin and area—

it says "in and around Algonquin"—and then to serve his purposes, he uses a 30 per cent figure based on the experience at Bancroft? What kind of report is that?

He may say to himself that it allows him some flexibility for error. I say to him that if he says that in and around Algonquin Park the average is over 40 per cent, then what right has he to use a 30 per cent figure from Bancroft? Nonsense. What kind of a document is it that plays that kind of arithmetic gymnastic in order to prove a point?

Now I come back to what I said before. His shortfall is 2.6 million cu ft per year—10 per cent of the total produced outside the park. The difference between 30 and 40, the last time I looked at it, Mr. Speaker, was also 10 per cent. I put it to the minister that if he used that 10 per cent, he would have, outside Algonquin, every single log he needed from without the park and wouldn't have to put a finger on the logs in Algonquin.

Now the minister is going to say—and some of his support is going to be provided, I presume, from his experts—that the fallacy, Lewis, is the assumption that the pulpwood produced from the hardwood outside the park cannot be added into the calculation; that that's really not fair; that the pulpwood from outside the park and the pulpwood—or the pulpwood from hardwood and the pulpwood from conifer—are not comparable and therefore you can't really use those figures interchangeably. Well I am not sure that's true. I am not sure that's true.

I note that when it served the minister's deficit purposes, he used every figure he could; but in case it showed a surplus he omitted the figure, and I don't regard that as a very good statistical calculation.

But suppose that for the moment we relinquish that argument, which we think does prove conclusively that the material is available from outside the park. Let me show the minister something else which might not have struck his ministry. If we accept Mr. Pierpoint's own assertion on page 5 that the net merchantable volumes average 40 per cent of the gross total volumes and apply that 40 per cent across the board, rather than the 30 per cent, and—just to show how scrupulous we are—if we add in to that calculation that only 49.2 per cent of the timber outside the park is good for hardwood, page 6; and 81.6 per cent for conifer, page 6; let me tell you the astonishing facts which emerge, Mr. Speaker.

It emerges that outside the park we would have a shortfall for hardwood of some 673 cunits—or is it 6,730? or 67,300?

Hon. Mr. Rhodes: Bingo.

Mr. Lewis: Just one second now. I think that's right.

Mr. J. E. Stokes (Thunder Bay): It's 6,000 cunits.

Mr. Lewis: No, it's not 6,000; it's 673 cunits.

Mr. B. Newman (Windsor-Walkerville): A cunit is what?

Mr. Lewis: Multiply a cunit by 100 and you have cubic feet; okay.

I'm sorry; I'm now corrected. I'm going to go back. My memory failed me for a moment.

We would have a deficit in conifers, or softwood, outside the park, of 673 cunits. Right? Okay. And 673 cunits is what we'd have to make up; which is, what, 673,000 cu ft?

Some hon. members: No.

Mr. Lewis: No? Then it's 67,300 cu ft.

Now, in terms of the hardwood, Mr. Speaker, there would be a surplus outside the park of 11,050 cunits, which is 1,105,000 cu ft.

Hon. Mr. Rhodes: Is that right?

Mr. Lewis: That's right. The Speaker knows that.

Interjection by an hon. member.

Mr. Lewis: No, they're not. They are Linda Thomas and Pat Johnston. They are researchers for the NDP caucus. They are not girls.

Mr. Speaker: Order please. Could we get on with second reading?

Mr. Lewis: I just wanted to make that clear, Mr. Speaker.

Mr. Speaker: Very interesting.

Mr. Lewis: It is. It should be, at least to Hansard, if not to you, sir.

I was in the committee when the Minister of Transportation and Communications was dealing with Krauss-Maffei and he dealt with Messerschmitt. He wasn't sure Hansard could spell it, and he said, "Did you get that, dear?"

Hon. Mr. Rhodes: Not me.

Mr. Lewis: I felt I had to correct the minister somewhere; it has been sticking in my craw for two weeks. Okay, now I'll come back, Mr. Speaker.

When we apply the 40 per cent to all of the figures, taking into account the availability, we get a deficit of 673 cunits for conifers and a surplus of 11,050 cunits for hardwood, meaning an overall surplus outside the park for our total requirements of one million cu ft per year. I want the minister to think about that for a moment, Mr. Speaker.

What Mr. Pierpoint's document shows is that there is a surplus of one million cu ft per year outside Algonquin, given all of the needs that would be satisfied by the Algonquin-dependent industries and the outside dependent industries, using his own figures.

The minister said there would be a deficit of five million cu ft. That deficit is reached by applying a percentage figure from Bancroft to the realities of Algonquin Park. If one uses Mr. Pierpoint's figures of 40 per cent from Algonquin Park to the radius outside of 50 miles—and he uses the phrase "in and around"; that's clearly what he's talking about—will give us a surplus of one million cu ft per year.

In other words, Mr. Speaker, there is no need to take another twig from Algonquin—not a twig, not a leaf, not a sapling, not a full-grown tree—unless, to use the minister's comments, we want to do it for therapeutic harvesting reasons. Fair enough. My colleague from Thunder Bay will tell the minister that for therapeutic harvesting we would support a Crown corporation. We'd support a Crown corporation to do management outside the park; and my colleague from Thunder Bay is going to say something about that.

But don't ask us to support a Crown corporation which serves the logging industry. That is preposterous. If the ministry wants to do therapeutic logging, by all means; we understand what forest management means. One only wishes the minister understood what forest management means and he would be getting a better percentage of actual cut from available cut than he is getting, and he would get a hell of a lot more available cut from allowable cut than he is getting.

In fact, he is getting more available cut from allowable cut than he pretends he is getting, only he cooks the books. I understand all the terms now; use them interchangeably with complete facility because I have now grasped them; and it took me a little while I may say.

Mr. Stokes: And cosmetic surgery.

Mr. Lewis: And cosmetic surgery as well for the forests, right.

Interjection by an hon. member.

Mr. Lewis: As a matter of fact, just as I have learned one end from another agriculturally, so I have learned about trees in a similar fashion. That is called the greening of a leafer.

Mr. Speaker, I then come back to the central proposition, and I want to say to you, sir, something that I think is kind of interesting.

First of all, I have in my hand a letter which was sent to me May 27, 1974, from the division of forests, D. P. Drysdale, timber sales branch, signed by a Mr. Keddie—I don't know, perhaps on his behalf—which demonstrated at the time that there was an amount of timber outside the park sufficient to fulfil all our needs. The reason that became controversial was the debate around the phrase "allowable cut." So Mr. Pierpoint made his report and made the distinctions between allowable and available and actual cuts. All I want to point out, Mr. Speaker, is that using Mr. Pierpoint's document, using all his figures and applying his percentages in a fair and scrupulous way, it emerges that there is a surplus of merchantable timber outside the park which would satisfy all of the needs presently satisfied by the extraction of timber from Algonquin.

Mr. Speaker, this is not a frivolous matter. What we have here is a kind of classic story of a government bent on destroying the environment for the purposes of the woods industry, and that is simply intolerable. There has to be some recognition somewhere that the recreational requirements of this whole province, and particularly southern Ontario in this case, have to be satisfied in large measure from Algonquin and that the government cannot allow even one per cent of that park to be logged every year, because the destruction of the park is incompatible with the experience of recreation, wildlife, camping or whatever; it is just wrong.

The government talked about getting rid of cars when it stopped Spadina. It can make the same argument about parks being for people, but it can make it, I would have thought, with rather greater force.

What does it all show over the last few months? It shows that the timber is there in

a 50-mile radius outside the park. It shows that no jobs need be jeopardized; it shows that all of the contracts can be satisfied; it shows that even when the ministry takes into account the hardwood maple and the yellow birch, it can still satisfy the requirements from outside the park.

That's the one thing which Mr. Pierpoint did for us that we were frankly uncertain about in this caucus: that is, what about the specific requirements of hard maple and yellow birch? Now we learn that that is also possible within a 50-mile radius of the park.

So I say to the minister, stop destroying Algonquin; he must relinquish his obssession to log that part, stop being beholden to the timber companies and pay some attention to the people of Ontario for a change. They don't want the ministry to log that park. The woodsworkers in Ontario would not want the ministry to log that park if they knew there was an appropriate alternative and if they knew their jobs were secure.

Is the minister telling me that the woodsworkers in Barry's Bay or Pembroke would oppose it if he said to them this timber is available within a 50-mile radius of the park? Are they unreasonable people? I don't believe it.

Mr. P. J. Yakabuski (Renfrew South): The member's figures won't hold water.

Mr. Lewis: What they have always said to themselves up until now, and rightly, is how can we put our jobs on the line? The logs must come from Algonquin. Fear not; I understand that. I come from a party which faces that difficulty every day.

We face it with workers and unions engaged in glass and ceramic work when it comes to non-returnable bottle; engaged in mining the sand dunes; engaged in many of the environmental areas. We have to say to them: "Look, you're not going to lose a job, because we don't believe people should be put out of work in this case." In this case of Algonquin it's absolutely ironclad. I just don't think it's debatable much more. I really don't. I think Mr. Pierpoint has done us an enormous service. He has made the argument conclusive.

Some of the figures, with respect, are not accurate because this new term "available cut," is one of those drifting phrases which are called into use for self-serving purposes. As I pointed out to the minister, from Kennedy to Brodie to the Ontario Economic Council to Hedlin-Menzies, you show me the definitions that exist in Pierpoint. Pierpoint's definitions are to make the case. All right, he did it, fair enough; but the evidence he adduces in the tables which he attaches to his report show that the logs are there outside Algonquin. For God's sake leave the park alone. Lay off!

There is no need to take another scrap from Algonquin. The minister has the proof at hand. If he had good forest management, if he were prepared to use the material he has as evidence, if he were prepared to use some of the private woodlots under his woodland legislation, if he were serious about it in any way, he would have such a surplus outside Algonquin he wouldn't know what to do with it.

Now we have all the figures to demonstrate it; so retreat. The minister should not dig in his heels in this instance. All he is doing is destroying the environment in the process, which makes no sense whatsoever and which is why we're voting against this bill.

Mr. Speaker: The hon. member for Victoria-Haliburton.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, let's take a look at where that 50-mile radius would hit. It would include Timiskaming.

An hon. member: Half of Quebec.

Mr. R. G. Hodgson: It would go close to Field; it would go very close to the town of Parry Sound.

Mr. Lewis: Yes.

Mr. R. G. Hodgson: It would include Severn Bridge, Fenelon Falls, Bobcaygeon, Lakefield—

Mr. Lewis: It might do something for their economies.

Mr. R. G. Hodgson: —Eldorado—

Mr. Lewis: They're still logging there now.

Mr. R. G. Hodgson: —Bon Echo and Calabogie. And one-third of all the area outside of Algonquin Park in that 50-mile radius is in the Province of Quebec and Ontario doesn't have any control over it.

Mr. Lewis: Oh come on.

Mr. R. G. Hodgson: It's a fact! Take a look at the map.

Mr. Lewis: We are dealing with the area shown on the map, not in Quebec.

Mr. Stokes: Read the minister's statement and read Pierpoint.

Mr. Speaker: Order please.

Mr. R. G. Hodgson: I'm going to refer to what I know, not necessarily what the ministry knows and the configuration of figures the member for Scarborough West has played with.

Mr. B. Gilbertson (Algoma): He's speaking from experience.

Mr. R. G. Hodgson: I want to tell members that the companies in the timber industry in my two counties, which include quite a bit of this territory—quite a bit of Algonquin Park, for instance—tell me. I know how short of timber they are and how short of private lands and resources that are available to them through the Crown. At the present pace of cutting those companies alone, within 15 years, will have no supply. That means that if we move companies that are operating in Algonquin Park into my territory to any extent to put a greater drain on the resources there it would mean those resources will be less than adequate for 15 years.

Mr. Stokes: That's not managing the forest, that's exploitation.

Mr. R. G. Hodgson: That's exactly what the member is suggesting. He is suggesting that exploitation of the forest resource outside that area be extreme.

Mr. Stokes: That's what the government member is talking about.

Mr. Lewis: Let him show us the figures they've left out in that area.

Mr. R. G. Hodgson: I am talking about what is a fact, not playing around with figures. The member is talking about one of the finest recreation areas in the Province of Ontario in that 50-mile radius—one very heavily populated with summer cottages and summer lodges and summer recreation.

Interjection by an hon. member.

Mr. R. G. Hodgson: The member is suggesting that the forest resource there be exploited to no end.

Mr. Lewis: No.

An hon. member: That's right.

Mr. Lewis: No, to the allowable cut; just to the available cut that is indicated in the report, just the available cut.

Mr. R. G. Hodgson: Oh yes, the member is suggesting that it be exploited. I don't think for one minute those people who own that land will go along with the member.

Mr. Lewis: It's Crown land.

Mr. R. G. Hodgson: It isn't all Crown land; far from it.

Mr. Lewis: No, but the land that would give the government a million cu ft more a year is Crown land.

Mr. R. G. Hodgson: All right; where is it?

Mr. Lewis: It's within the 50 miles.

Mr. R. G. Hodgson: Where.

Mr. Lewis: Through the 50 miles.

Mr. R. G. Hodgson: Name 1,000 acres; let alone a 50-mile radius. Where is it?

Mr. Lewis: I have been given the map from this ministry which shows it.

Hon. W. Newman (Minister of Environment): Well, the member for Victoria-Haliburton happens to be in the area and knows it better than the leader of the NDP.

Mr. R. G. Hodgson: Name the area; tell us where the resource is.

Mr. Lewis: Ask the minister to name it, he knows where it is.

Mr. Speaker: Order please.

Mr. R. G. Hodgson: He's going to have hard time naming it.

Mr. Lewis: Is he?

Mr. R. G. Hodgson: Let me assure the member that in the township of Hindon he might come up with 3,000 or 4,000 acres.

Mr. Lewis: What is the member talking about?

Mr. M. Cassidy (Ottawa Centre): What is he saying?

Mr. R. G. Hodgson: I'm talking about the timber that the member for Scarborough West is talking about.

Mr. Stokes: It is obvious the member for Victoria-Haliburton never read the Pierpo nt report.

Mr. R. G. Hodgson: I don't have to.

Mr. Stokes: Well sit down.

Mr. R. G. Hodgson: All right; I'm talking about my area, which is only two counties of that territory.

Mr. Stokes: The minister makes the information available and he doesn't even take advantage of it.

Mr. R. G. Hodgson: I want to know where it is. And I hope the minister will tell me, because I don't know where it is.

An hon. member: Vote against it then.

Mr. R. G. Hodgson: My family, including my grandfather, have been involved in logging in this particular 50-mile radius. We have never logged in Algonquin Park; but we have been associated with Standard Chemical, which cut many many thousands of these acres 50 years ago. Canadian Industrial Alcohols, with its own chemical company at Corbyville, has taken this wood resource from the beginning of the century until now. My own private land is 500 acres, but I'll tell members this: No forest research was ever done on my land by the Crown. No one has asked me how much timber I have on my land; I happen to know.

Mr. Stokes: I think he is going to vote against the bill.

Mr. R. G. Hodgson: I'm just telling the members opposite that I want them to prove what they are talking about when they claim there is a resource outside of Algonquin adequate to serve any more than the existing industry within that 50-mile radius, let alone Algonquin.

Mr. J. R. Breithaupt (Kitchener): Ask the minister.

Mr. Lewis: May I just, on a point—since the member is putting it this way—the minister in his statement indicated that only 44 per cent of the 50-mile zone is private land; 56 per cent of it is Crown land, presently netting something in the vicinity of 44 million cu ft of allowable cut per year.

Mr. R. G. Hodgson: Right.

Mr. Lewis: Then it is out there. It is not a figment of someone's imagination, and those are the figures Pierpoint uses.

Mr. R. G. Hodgson: I agree with the member; but I want to ask him this: How much do they know about their own resource? That's a good question.

Mr. Lewis: The member for Victoria-Haliburton will have to ask the minister.

Mr. Breithaupt: Ask the guy over there, he is the minister.

Mr. R. G. Hodgson: That's a real question.

Mr. Cassidy: Ask the minister.

Mr. R. G. Hodgson: They know that they do not have the resource in that 50-mile radius to supply any more than the existing companies, if they are honest.

Mr. Cassidy: He is letting the cat out of the bag then, eh?

Mr. R. G. Hodgson: And I say that advisedly.

Mr. Cassidy: The member is questioning the minister's advice?

Mr. R. G. Hodgson: All right, what if I do question that. I'd like to know where all this timber resource is.

Mr. Lewis: He is fairly cutting tonight.

Mr. R. G. Hodgson: I want the members who represent that 50-mile radius to stand up here and tell us what they know about the resource in that area; and I think the members are going to get an eye-opener.

Mr. Lewis: Well okay.

Mr. R. G. Hodgson: Because they've got companies—

Mr. Stokes: Is the member saying Mr. Pierpoint doesn't know?

Mr. R. G. Hodgson: Just be quiet; I am talking.

Mr. Speaker: Order please.

Mr. R. G. Hodgson: It is my floor. I'm telling the members that I don't know of any companies—and I'm associated with most of the people who are in this industry through safety work, I talk to them two or three times a year, I hear them asking for more timber—and I don't know where this timber is. I want the Crown to tell us; because I don't think there is enough for the existing companies in this 50-mile radius, let alone those companies which operate in Algonquin.

Mr. Lewis: Bad forest management.

Mr. R. G. Hodgson: It isn't bad forest management. It's a fact of life.

Mr. Lewis: It is not a fact of life.

Mr. R. G. Hodgson: The timber resource isn't there. It's that simple. The member was talking about future jobs for many people in that area. I think our companies can get along and exist and can operate, because they are slowly changing their operations to take care of it. Some are phasing out. But I say to you, Mr. Speaker, if we are going to employ all the people in our area who are connected with this industry, we have also got to take care of some jobs down in Brantford, and down where they make trucks in St. Thomas.

Mr. Lewis: Agreed.

Mr. R. G. Hodgson: We have also got to take care of the furniture industry that operates here in southern Ontario, Mr. Speaker.

Mr. Lewis: Agreed.

Mr. R. G. Hodgson: We have got to take care of the television set cabinet industry. We have got to take care of a whole host of people, like mill workers of all types in woodworking and associated industries, Mr. Speaker.

Mr. Lewis: Absolutely.

Mr. R. G. Hodgson: We have got to take care of equipment sales and service people in Toronto and other repair places; and those on construction equipment that is used in the industry. We have got to take care of people who work in our existing stores throughout the year, and not just for summer seasonal work, because they are the mainstay of most of those operations. Mr. Speaker, we have got to come in and take care of the natural resources people who are in forestry, unless we put them out planting new trees. There are a whole host of these people who are operating in that industry.

I think it's pretty sad for anyone to suggest this course who has only had two or three days to look at these figures.

Mr. Lewis: That's right.

Mr. R. G. Hodgson: Frankly, I remember two or three years ago, the Leader of the Opposition and some of the NDP were debating this. I think it was up in the Ottawa River area and also in Huntsville. If they haven't talked to the industry itself in that period of time, that party's critics should be asked why they didn't do so. Phone calls to those people would have told them how much resource they had available.

Mr. Lewis: We went to the ministry and they gave us the figures. Are we not to trust them?

Mr. R. G. Hodgson: Why doesn't the member find out for himself? He has criticized the ministry and said it was no good.

Mr. Lewis: We went to the source.

Mr. Breithaupt: Doesn't the member for Victoria-Haliburton trust the minister?

Mr. Lewis: What the devil more can one do? We went to the ministry, we went to the IWA and we went to the companies. As a matter of fact, we went to the companies and asked for information.

Mr. Cassidy: Where has the member been for the last year? Why hasn't he spoken up?

Mr. R. G. Hodgson: I have studied the matter in my area and I know there is not the resource. I ask the other members of my party who represent that area to tell members opposite what the facts are. Thank you very much, Mr. Speaker.

Mr. Speaker: Order please. The hon. member has the floor.

Mrs. M. Campbell (St. George): What hon. member?

Mr. Cassidy: At the very last minute.

Mr. Lewis: Let the member for Renfrew South have the floor; he is itching to go. Go ahead. We are all waiting.

Mr. Speaker: Does any other member wish to take part in this debate?

Mr. C. T. Rollins (Hastings): Yes, Mr. Speaker.

Mr. Speaker: The hon. member for Hastings is on his feet.

Mr. Rollins: I have listened with a great deal of interest to what has been said here concerning lumbering in Algonquin Park. I have also listened to the figures that were mentioned about the Bancroft area.

Mr. Speaker, the lumbering industry as it is today is in a very crucial position at the present time. We have timber being harvested from within the park that is supplying the veneer plant in Tweed and supplying other mills within the area. We have under the ministry careful supervision on small permit

operators operating locally through the Bancroft office in this industry. It would create a great deal of hardship if any further curtailment is made of timber operations in our general area.

I support the hon. member for Victoria-Haliburton exclusively on this opinion of his as to what it means in this area and what it means to families. If there were any further adjustments, it would curtail the operations to such an extent it would create hardship. We have many individuals that depend on lumbering; they are experts in their own walk of life.

Mr. Lewis: That's right.

Mr. Rollins: Ought one to take away from them their employment? They are willing to work and they want to work. They don't ask for any further assistance, only to be given an opportunity. For small operators, it might be five or six men on a permit to carry on as individuals and be independent.

What the hon. member for Victoria-Haliburton has said also affects our area. Mr. Speaker, I support the minister's proposal to have careful supervision of lumbering within Algonquin Park and to let the labouring people in my riding have an opportunity, as individuals, to carry on and not be penalized and put out of employment in such a crucial time where we need this employment to take care of our people and their families and to give them an education which they want to do proudly and not to be jeopardized by a whole lot more controls. Mr. Speaker, we have ample controls, and in my opinion possibly too many controls in some areas and too many people telling our people who want to work in the work force what to do.

Mr. Speaker: The hon. member for Nipissing.

Mr. R. S. Smith (Nipissing): Mr. Speaker, I have a few remarks to make in regard to the bill.

We seem to have moved away from the principle of the bill, which is to establish the forestry authority. Of course, we have indicated that in our party we are going to vote against the establishment of the forestry authority, because first of all we feel it is the responsibility of the minister and his ministry to operate the park as a recreational area, first; as a wildlife area, second; and for those people who want to enjoy a wilderness area, third. We have stated that we believe the woods industry can be phased out of Algonquin Park over a length of time which would provide for facilities that would provide other jobs.

There is the question of whether, in the 50-mile radius, there is enough natural resources to provide for the industries that are already there. I have read the Pierpoint report and, as the member for Scarborough West has indicated, I have had some difficulty understanding it too, and I have lived with people who have talked about these things all their lives. I find there is some jargon used there that I have never heard before, and I'm sure there is some there that the minister has never heard before. I really can't understand it, to some extent.

I do know, in spite of what that report says, that in the area that I represent and the area that I know best—that's the area north of Algonquin Park, from say Cameron township across to Patterson and up, and this is within the 50-mile radius, at the top end of the park—there certainly is not available in that area the natural resource to sustain the perhaps four or five industries that are dependent upon it in that part of the 50-mile radius outside of the park. There is no question in my mind that if there was a total ban put on logging in the park today, there would be industries in that area that would close and there would be jobs lost.

It may be well for anybody to stand up and say that there is hardwood there and that there is conifer in that area. But I know that area, and in the past 30 years that area has not produced enough hardwood to keep any small mill going. That is the area I know and that is the area I am talking about. There is no question in my mind that there would be unemployment created in that area if, in fact, logging was stopped in the park. The industries that are there are dependent upon the park for their natural resource.

I am not suggesting to the minister that this should continue. I'm suggesting to him that his ministry, along with the minister who sits beside him, should be investigating that area, looking at other alternatives, so that the logging can be phased out and so that those industries can be changed to other types of industry. I'm not talking about tourism, because tourism is for poor people, and it has created enough poor people in northern Ontario. That is not what we want as an alternative. But if we take the top half of the park and go north on the map, I think I would agree with the assumption in the Pierpoint report that there is not sufficient natural resource to support the industries that are there.

So it is not a black and white situation insofar as that report is concerned. The report deals with the whole, total area and deals with it as one sum put together, and that's different from dealing with each individual area that surrounds the park.

Since I come from an area that is individual and different and has no connection whatsoever with Dickens or Burns townships, I have to look at what would happen in that specific area that I represent, or that I come close to representing. I believe that there may be some areas of the park where logging could be stopped right now and the natural resource could be provided outside the park. There may be some other areas where logging could be phased out over a longer period of time in order to support industries where unemployment would be created if they were forced to shut down right away.

I don't think it's a simple solution that can be provided on a black and white basis of either close it down or let it go. I believe, from this point of view, that the ministry is wrong in taking the overall position that we are going to allow logging to continue in the park regardless of what it does in any specific area.

The other point I would like to make is that if this ministry had, over the past 30 years, maintained reforestation and sustained-yield operation in that 50-mile area outside the park, today we would certainly have no need to touch the natural resource that is within the park. But that has not been the case. There is no sustained-yield operation in my area, to speak of. It's been take, take, take for 50 years, and as a result there is nothing left. I think this applies to a large area around Algonquin Park.

There is no question that the best protection of our natural resource has taken place within the park. If we had used those same principles outside the park we would have been a lot better off today in most areas of this province, including some that the minister himself represents. In my total area we would be better off, because logging or any type of wood production in my area is almost finished. It's a dying industry; in fact, it's almost dead.

I think the minister has to look at Algonquin Park as a large recreational area in the centre of our province, but he has to treat it in a different manner for different areas until the time when he can totally phase out logging within the whole area. There is no simple solution that can be applied across the board to the park and the 50-mile area that surrounds it. I think he might have to have a number of different solutions in a number of different areas for perhaps a different number of years; different periods of time. I think that is the rational way to look at it.

As far as the establishment of the forestry authority is concerned, I think it's just a farce. I don't know who the minister is going to put on it who would be any better or make any more difference than the people who are now working within the ministry. If this goes ahead, what he is saying is, "The people we have in our ministry are incapable of doing this type of job." I would say to him that if the people he has in Algonquin Park are incapable of doing this type of job, then God bless us for the rest of the people he has outside the park; because his best people are there, and if they can't do the job, what about the rest of the province? It's just got to be terrible.

So I say to him that he should withdraw the bill. He should look at the whole situation again and come back with a realistic plan that, perhaps over the next 10 to 15 years, would phase out logging in the park and at the same time create employment for those people who would lose what is now their way of life.

Mr. Speaker: The member for Cochrane South.

Mr. W. Ferrier (Cochrane South): I'd like to make a few comments on this bill, Mr. Speaker. I can sympathize to some degree with what some of the other speakers have said because I did live in the area east of North Bay when I first started out in my former career, and I have some insight as to the nature of the people who work in the wood products industry there.

One thing that concerns me is the growing demand for recreation among the citizens of our province, and as our areas become more largely urbanized and the pressures of life within the cities become more acute with greater stress, the need for the kind of recreation that is available in our provincial parks becomes greater than ever. I think that that demand is going to increase. In fact, an article in the Ottawa Citizen suggests that over the next 30 years the public demand for recreation of the kind offered in Algonquin Park is going to increase three times. I am not sure what the projection of the population is, but I suggest that the use of Algonquin Park by the public for recreation purposes is going to increase and increase.

I believe, although he can correct me, that the minister in his master plan has suggested that a limit is going to have to be placed on the length of stay of people who are going into the park. Perhaps that raises the question that even the ministry itself is not too confident that the park is going to be able to meet the recreation demand that is going to be placed upon it. I know when I was on the former committee we discussed the need to establish satellite parks, and I believe some movement is going to be made in that direction. Even so, I suggest that to provide the recreation areas in the form in which they are going to be required, Algonquin Park is going to have to be used in its totality.

I would feel that this bill, in perpetuating logging in Algonquin Park, is flawed in principle. I believe that logging must end, but I believe that it must end on a phased basis and time is no doubt necessary to work out the details of phasing it out.

My leader has suggested that within the 50-mile radius an alternative supply of wood could be found to meet the needs of the industry. Perhaps the industry would have to change to some degree. Perhaps there is wood there that is not being utilized but which could be utilized, should there be a change in the industry. I know in my own area, for a long time poplar was not much in demand, yet in the last few years we have seen waferboard production growing in the Timmins area; this can take all the poplar that is available and some of it, the larger poplars, is being shipped to Cochrane.

Perhaps use could be made of poplar or some of the other species outside the park that at present are not being utilized. Perhaps some jobs could be created in that fashion. I think that is an area of the province where governments must try to provide some alternative employment—provide some development that has not taken place there in the past. I think in many respects, as my own travels through that area suggest, it is even less developed than northern Ontario. It shouldn't be just an issue like this that provokes a crisis. The government should have been acting even before this to do something about the problem.

If the area is to be preserved in the state necessary for the various recreational activities demanded by the south, then I feel that the people here in the major centres must be prepared to put out large sums of money to develop additional employment opportunities in that area. What jobs may be lost are being lost to accommodate certain people in the urban areas, so if that's the case then let the urban area plough in a considerable amount of money to provide alternate and even better employment in a number of areas in there and to direct some of the industry that's here into some of the towns in the areas that will be affected.

There's no reason in the world why that can't be done. The problems of transportation to markets are not the same in that area of the province as are faced in the north and the northwest. So I suggest that the time required to phase out the industry should have been the thinking behind the minister and not the perpetuation of this logging in Algonquin Park, as this bill suggests.

I am not so sure that this authority is going to be that much of an improvement over the kind of work that could be done by members of his own staff. I have seen how some of his staff operate in my own area and they do some fairly good supervising up there. The phase-out period I think could be handled by his own ministry just as well as this body set up here. I believe the government would have done much better if it had provided a time span to phase out the logging and to provide alternative employment, and to see what wood species are there that might be used in an alternative way in that 50-mile radius to provide jobs.

But the recreational needs of the people must be met and I don't feel that recreation is a luxury or a frivolous thing. I believe that in the kind of society we have and the pressures that are upon people, they must have these escape hatches, these ways of breaking away from the heavy pressure of the urban areas. As I said, this report stressed that the demand for recreation is going to grow at three times the population rate.

Well, here is an area that has been set aside for many, many years; I commend the government of the time when this was set aside. I think that the time has come in drawing up a master plan to leave it for recreation and to work in the 50-mile radius to find as much, if not all, of the wood we can that is necessary for the industries—use some of the wood that's there, perhaps. To diversify the industry if possible the province should be prepared to put in large investments to provide other kinds of industries to provide jobs for the people who live there.

Mr. Speaker: The hon. member for Parry Sound.

Mr. L. Maeck (Parry Sound): Mr. Speaker, I rise this evening not as the parliamentary

assistant to the Minister of Natural Resources (Mr. Bernier) but as the member for Parry Sound, one of the constituencies that has perhaps the biggest area of Algonquin Park within it. There is approximately 50 per cent of Algonquin Park in the riding of Parry Sound, and about one-third of the 50-mile radius that has been spoken about this evening is in the riding of Parry Sound.

First of all, let me say that I agree with the hon. member for Nipissing regarding the north part of the radius north of Algonquin Park. Certainly there is not enough timber there now to supply the existing facilities without having the input from Algonquin Park.

With regard to the Parry Sound riding itself, the district of Parry Sound, I would remind the House that some 100 years ago it was logged for white pine. It was then logged for hardwood, then logged for hemlock, then cut over for cordwood and pulpwood. At the present time we are having a great difficulty in keeping the sawmills in the east side of the Parry Sound district supplied with timber. As a matter of fact, some of them on the east side are now acquiring timber from Algonquin Park itself.

I point out the D. A. Clark veneer plant which is located in South River, my home town. It was constructed there about six years ago. They have not been able to obtain a licence because there is no timber available. They exist simply by purchasing from private owners or from other people who are operating within the park, who have some excess logs that they're able to buy. So, certainly there is a lack of timber in the east Parry Sound area. I cannot understand how we can arrive at the figure whereby we can say there is enough timber, or even half enough timber, outside of the park to facilitate the industries that are now dependent on resources from the park.

I wish some of the members of the opposition would take the time to go into Algonquin Park, and not just drive along Highway 60, but take a look at the woods operations that are now going on in the park. Consider what was happening 15 years ago and look at what's happening today. Certainly, silviculture is now being used extensively in Algonquin Park. The marking system for the trees at the present time leaves very little to be desired as far as silviculture is concerned. There is a silviculture area at Swan Lake which demonstrates what can be done with yellow birch. I think some of the members of the opposition who are so doubtful about the harm that's going to be done to Algonquin Park should look and see what we're actually doing. I don't think they'd be nearly as opposed as they pretend to be, or say they are.

Mr. Cassidy: There won't be any yellow birch left in 15 years.

Mr. Maeck: There will be no yellow birch left in 15 or 20 years anyway, because they are all dying, and that's the reason that they should be cut now. As far as I'm concerned, if we're going to allow these trees to die, man may as well make use of the resources as have them die.

Mr. Cassidy: It's no tribute—if the yellow birch will end in 15 years—to the quality of silviculture in that area.

Mr. Maeck: They die back automatically.

Mr. Lewis: It says something about the forest management policies of the Tories in 30 years if we're running out of yellow birch.

Mr. Maeck: We talk about the 3,000 jobs in Algonquin Park, but I think we have to remember that there are many, many related jobs. Nobody has mentioned anything about the quality of the timber that is necessary to keep these related jobs going.

Mr. Lewis: Oh, yes. Oh, yes.

Mr. Maeck: The quality of the timber is available, as far as I'm concerned, only in Algonquin Park. It's not around the edge; certainly not in the area that I know and that I've lived in all my life.

We all drive up to Algonquin Park, we take a look at it and we say it's a beautiful place. But I want to remind the House that we have been logging in Algonquin Park for 100 years and it's the way it is today because of the logging that's been going on.

If members take a look at some of the federal parks where no logging has been allowed for many years, they will find great amounts of timber that has fallen over, it's impenetrable and it's a great fire hazard. That is not happening in Algonquin Park. Algonquin Park is one of the most beautiful spots in the Province of Ontario; there is no question about it. I think one of the reasons it is that way is simply because we have logged it and logged it properly.

I give some credit to the Algonquin Wildlands League. They have won a victory of a sort simply because I think they have made the government and the people of Ontario

much more aware of Algonquin Park than we were 15 or 20 years ago. If one looks at the silviculture and the way we are handling the park resources today, I see no reason why that can't continue in conjunction with recreation. Under the master plan, 22 per cent of the park will remain in the primitive zone. We intend to log only two per cent per year.

Mr. Ferrier: I thought it was only nine per cent.

Mr. Maeck: No, it is 22 per cent. So concessions have been made both ways.

Mr. Cassidy: Big deal.

Mr. Maeck: Well, I think the hon. member has to understand that the resources are necessary, for the economy of this province; not just in terms of the 3,000 people in Algonquin Park, but the many related jobs here in southern Ontario and probably over in Ottawa, where the hon. member lives. Those things have to be taken into consideration.

Mr. Cassidy: There is hardwood to spare in the province without going into the park.

Mr. Speaker: Order, please.

Mr. Maeck: The authority itself, by having an authority, is going to eliminate 18 licences in Algonquin Park and regulate where the timber is going to be cut. The way it works today, there are 18 licences and each licence-holder cuts in a certain area of Algonquin Park. In other words, we have 18 different places where they are cutting logs, all at one time. The authority will be able to regulate that to the point where we will not be cutting in 18 places at once. I am sure they will also be able to find a market to make better utilization of the products that are going to be cut.

All in all, the forestry authority is certainly going to be a benefit to Algonquin Park; there is no question about it. It is certainly going to have access to the ministry people for its assistance. The people that the member for Nipissing mentioned, our staff in Algonquin Park, are probably the best staff we have in Ontario; I agree. But those people will still be available to the authority. All in all, on behalf of the people of the riding of Parry Sound, I would commend the minister for this bill and I certainly support it.

Mr. Speaker: The member for Renfrew South.

Mr. Yakabuski: Mr. Speaker, it is a pleasure to rise and participate in the second reading of Bill 155, a bill to establish the Algonquin Forestry Authority.

I might say at the outset that as a member of the Algonquin Park advisory committee, and as a member representing a part of the area that would be affected by the banning of logging in Algonquin Park, I feel that I have some obligation to participate in this debate.

Let me commend the ministry for the policy they have put together here and the introduction of Bill 155, because I feel the establishment of an Algonquin Forestry Authority is the only possible, reasonable, sensible route that this government can take.

Let me go back some years to the establishment of Algonquin Park in the year 1893. At that time, among the five basic themes that prevailed and dominated were these:

Protection and maintenance of the watershed. I might say that the Ministry of Natural Resources, by continuing to renew the old logging dams, has done a lot toward preservation of the watersheds in and around Algonquin Park; both it and the Ministry of Public Works have done a commendable job in this area.

The management of and experiments in forestry. Over a long period of years, as the other speakers have outlined, logging has gone on in Algonquin Park. I have to repeat what the member for Parry Sound has said, that because logging has gone on in Algonquin Park for the last 100 years it is the fine, b autiful park that we now have. If logging had not been allowed in Algonquin Park for the last 50 or 100 years we would have what some people would term a jungle.

I'm sure that if the people of Ontario, as individuals, were given an opportunity to view a managed forest in Algonquin Park and an opportunity to view an untouched forest in Algonquin Park, 98 per cent of these people would opt for the managed forest.

Over the years, and especially over the last 20 or 25 years, I have to say that the ministry has done a remarkable job with Algonquin Park. The increasing number of visitors to Algonquin Park each year is astounding, and they go there because this ministry has made provision for them there. It is not just some place into the wilderness that they go. There are many attractions there, besides canoe routes and so forth, and we've always maintained that Algonquin Park is for people, and people of all interests, not of special interest groups but people of varying interests.

That's the kind of policy this government has followed, the concept of multiple use. Bill 155 will continue to show that kind of policy for Algonquin Park in the years to come.

Mr. R. S. Smith: Is that why the government kept the private camps in there?

Mr. Lewis: Not to mention tourist shops.

Mrs. Campbell: Concessions.

Mr. Yakabuski: I mentioned the question of a healthy forest or a jungle. The continuation of logging in Algonquin Park, with the kind of supervision and management that it has been receiving and will receive in an intensified manner under the new authority, will certainly continue to make the park the kind of park that the majority of people in Ontario want to see.

The leader of the NDP has bandied around figures in a very convincing fashion. I thought for a while he even had the minister convinced.

Mr. Lewis: I doubt it.

Mr. Yakabuski: However, I have to tell him that they won't hold water.

Mr. Lewis: Why?

Mr. Yakabuski: We have heard the member from Haliburton, we've heard the member for Parry Sound; I, too, live in the periphery of Algonquin Park. Without having the advantage of the knowledge of being foresters or anything like that, we know full well that the periphery, or the 50-mile radius that we discussed will in no way support the lumbering industry that we talk about.

I'm surprised, to some degree, that the leader of the NDP should look upon the loss of jobs both on the job site, which we will call Algonquin Park, and then all down the line reaching out away down into southern Ontario in every direction. Someone just mentioned to me a moment ago what effect it might have on Thunder Bay, where some of the logging machinery is made. Somebody else mentioned what it might do to the automotive manufacturers, their truck divisions.

Mr. Lewis: Not a job need be lost.

Mr. Yakabuski: Somebody else mentioned what it would do to the furniture industry.

Mr. Lewis: The government loses the jobs, my friend. What about Champlain Lumber at Blind River? What about Champlain Lumber at North Bay? Why isn't the member crying about those jobs his government threw away in the lumber industry? Don't cry to us with crocodile tears.

Mr. Speaker: Order please.

Mr. Yakabuski: When the leader of the New Democratic Party was speaking in this debate we extended him the courtesy of uninterruption.

Mr. Lewis: Oh, come on. There was some friendly heckling. I was heckled, Mr. Speaker, intermittently.

Mr. Yakabuski: The leader of the NDP on June 20, 1974, made a statement—and this is before he even talked of the 50-mile radius. At that time he was going to send them away back someplace I don't know where. He said:

> With resource alternatives in such close proximity to Algonquin Park, the 3,000 men employed in pulp and paper, logging and sawmill operations in and around Algonquin could be redeployed with only slight adjustments, and any dislocations within the overall industry would be minimal.

Mr. Lewis: That's right, and it will be phased in as well. It is not done overnight.

Mr. Speaker: Order, please.

Mr. Yakabuski: Mr. Speaker, I would like to hear the leader of the New Democratic Party or anyone else in this province make that statement in Huntsville, Barry's Bay, Pembroke—

Mr. Lewis: I did.

Mr. Cassidy: He has.

Mr. Lewis: With respect, I did.

Mr. Yakabuski: —with the full membership of the United Woodworkers present.

Mr. Lewis: There is no such thing as the United Woodworkers, by the way.

Mr. Yakabuski: Anyway, I talked to some of these people who belonged to the woodworking union, and this is what they told me, Mr. Speaker. One of them in particular told me: "I was born in a Liberal household." He was born in a Liberal household, but he said that later in life when he became involved in the trade union movement he joined the CCF or New Democratic Party.

Hon. A. Grossman (Provincial Secretary for Resources Development): Then he matured.

Mr. Yakabuski: But he said. "Let me tell you, Paul, that is the last vote I or any of my colleague will be casting for the New Democratic Party." He said. "The leader of the New Democratic Party is only interested in the city vote."

Mr. Lewis: I will tell the member he is in more trouble than we are—he needn't draw any solace there. It is the last conversion to the Tory party he will ever be able to register.

An hon. member: Don't bet on it.

Mr. V. M. Singer (Downsview): Both of the members should go out and have a wake.

Mr. R. S. Smith: Is that the same guy who has a concession in the park?

Mr. Yakabuski: So I'm surprised, Mr. Speaker, that the leader of the New Democratic Party would treat the loss of jobs in the lumbering industry in and around Algonquin Park so lightly.

Mr. Lewis: No, no. On a point of order, I am not going to let that member get away with this kind of stuff.

Mr. Speaker: Order, please.

Mr. Lewis: No, sir. On a point of order, I said not a job would be lost—and I want that in Hansard—not a job. The government treats its lightly.

Mr. Speaker: Order, please. The member for Renfrew South has the floor.

Mr. Yakabuski: We don't.

Mr. Lewis: Where are the 200 jobs for Champlain Lumber, eh? Where are those 200 jobs today? The government threw away the jobs.

Mr. Yakabuski: These jobs would be maintained.

Mr. Lewis: The government threw away the jobs.

Mr. Yakabuski: To many people, this is the way of life.

Mr. Lewis: Where are the jobs in Blind River today?

Mr. Yakabuski: Many, many people who live in that area have logged and have worked in the lumbering industry for generations.

Mr. Lewis: That's right, and they should have their jobs.

Mr. Yakabuski: As a matter of fact, one young man who worked for some two years for a brokerage firm down here in the city went back.

Mr. Lewis: I can believe it.

Mr. Yakabuski: He went back to a chain saw or a truck because he loved working in the lumbering industry and loved the outdoors.

Mr. Lewis: I agree with him.

Mr. Yakabuski: This is a way of life with them.

Mr. Lewis: So why did the government let the jobs go?

Mr. Yakabuski: And the NDP would disrupt that.

Mr. Lewis: No, sir. The government has let the jobs go—200 jobs in the last three weeks.

Mr. Speaker: Order, please.

Mr. Yakabuski: We have not let the jobs go. The Algonquin Forestry Authority will guarantee that those jobs will remain.

Mr. Lewis: What does the government do at Blind River? What does it do at North Bay? How is it saving the jobs?

Mr. Speaker: Order, please. The member for Renfrew South has the floor.

Mr. Lewis: Well, there was a pause. I thought I'd fill it. If I see a pause I fill it.

Mr. Yakabuski: The position this government has taken with regard to this bill is not the easiest position. It's not perhaps the most popular position, because on one hand it doesn't satisfy completely or to any great degree the lumbering interests; on the other hand it doesn't satisfy to a great degree many of the people who have certain recreational interests. But it was the only sane, reasonable and responsible position this government could take. I have to say as the member representing part of that area that I'm very proud that this government had the stamina and the fortitude to maintain its position insofar as Algonquin Park is concerned.

I mentioned a little while ago that it was a way of life, and it certainly is a way of life to those people up in that part of Ontario. They have just as much right to live by the lumbering industry as miners have in certain parts of northern Ontario to live by

the mining industry. They have just as much right to live by the lumbering industry in that part of Ontario as the fishermen have on the east and west coasts of Canada to live by the fishing industry.

Mr. Lewis: So let them live—don't take away their jobs.

Mr. Yakabuski: The leader of the NDP treats it in a very easy fashion, a simple fashion.

Mr. Lewis: The government has just thrown 200 jobs away in the last three weeks.

Mr. Yakabuski: "They can be moved to new jobs 50 miles away."

Mr. Lewis: Through Blind River and North Bay. The government threw them away by not allowing them to.

Mr. Yakabuski: "Phase out lumbering in Algonquin Park."

Mr. Ferrier: Doesn't the member want some industry in Barry's Bay?

Mr. Yakabuski: And the Liberal Party; they have no position on this.

Mr. Lewis: Well, that is their problem.

Mr. Yakabuski: At least I must give the NDP a certain amount of credit because they have taken a certain position on this question. But the Liberal Party has taken none whatsoever.

Mr. Breithaupt: The member should have listened to our leader's speech.

Mr. Yakabuski: The leader of the Liberal Party—

Mr. R. S. Smith: Well, on a point of order, Mr. Speaker—

Mr. Yakabuski: I have the floor, Mr. Speaker. We—

Mr. R. S. Smith: I rise on a point of order.

Mr. Speaker: What is your point of order?

Mr. R. S. Smith: The member is misleading the House. I just took a position on the bill 15 minutes ago.

Mr. Speaker: Order, please. The hon. member can't say that now.

Mr. R. S. Smith: He is deaf, dumb or indifferent.

Mrs. Campbell: All three.

Interjections by hon. members.

Mr. Speaker: Order, please. Order, please.

Mr. Lewis: He is clearly all three.

Hon. L. Bernier (Minister of Natural Resources): The member is striking pay-dirt.

Mr. Speaker: The hon. member for Nipissing I am sure didn't mean to say he is misleading the House. Did I hear it?

Mrs. Campbell: Yes, he did.

Interjections by hon. members.

Mr. Singer: He didn't say he was deliberately misleading the House.

Mr. Yakabuski: Mr. Speaker, I want to go on to point out to you and the House—

Mr. Lewis: That the government is throwing away jobs.

Mr. Yakabuski: —that they really do not have any firm position over there.

Some hon. members: Oh!

Mr. Yakabuski: Now, up in Huntsville and Ottawa, after the Algonquin Park report was announced—

Mrs. Campbell: The Conservatives are really scared of us, aren't they?

Mr. Lewis: They are, in fact. I am sorry to say they are.

Mr. Yakabuski: —in July, 1973, the leader of that party was quite firm in saying that the loggers should be kicked out of Algonquin Park. And then he got a lot of flak, and he made a trip to Barry's Bay and Madawaska in late August, 1974.

Mr. Lewis: I read those clippings too; they are kind of funny.

Mr. Yakabuski: He made a trip so he would make himself knowledgeable with regard to the problems surrouunding Algonquin Park.

Mr. Lewis: Yes, that is true.

Mr. Yakabuski: But who did he go to see, Mr. Speaker?

An hon. member: Who?

Mr. Yakabuski: He didn't call in representatives of the various companies that logged in and around Algonquin Park.

Mr. Ferrier: Did he call the hon. member?

Mr. Yakabuski: He just went to see one company, his friends, and boy, did he ever get it that day. Well, he came back with his horns pulled in and trimmed. And today, here in the Legislature, when he rose to speak on this particular bill—

Mrs. Campbell: To oppose it.

Mr. Yakabuski: —he was pretty mild; he was pretty meek about the whole thing. He talks about phasing out over a long period. I asked them when would they phase out logging operation in Algonquin Park — in 1975? In 1980? In the year 2000? In the year 2050? All they say is, "We would phase them out over a long period of time."

Mr. Speaker, do you know how that would make a worker in the Ottawa Valley or in Parry Sound, Huntsville, Pembroke or Mattawa feel—that, "Some day, some time, we are going to lose our jobs, we are going to have to pick up roots and move"? It's like having a death sentence hanging over you and not knowing when the day of execution is.

Interjections by hon. members.

Mr. Lewis: The member's government is the executioner for the workers in Ontario. The government is the executioner.

An hon. member: Right on, Paul.

Interjections by hon. members.

Mr. Yakabuski: And then, after he got his fingers pretty badly pounded up there by his friends—

Mr. R. S. Smith: I have decided the member is dumb.

Mr. Yakabuski: —he went on to say they should be phased out and they should be compensated.

Mr. R. S. Smith: There is no choice, he is just dumb.

Mr. Yakabuski: They should be compensated. And I say, compensated for what? The timber in this province, in Algonquin Park or on any Crown land—and some on private land—belongs to the people of the province.

An hon. member: There's a change of heart.

Mr. Lewis: Well, that is something.

Mr. M. Gaunt (Huron-Bruce): That is some discovery.

Mr. Yakabuski: And I would like to know more about this compensation. Am I to assume, Mr. Speaker, that this compensation we speak of is to pay off the lumbering company and say to hell with the workers?

Mr. Lewis: Oh, come on.

Mr. Breithaupt: The member is not foolish enough to really believe that?

Mr. Singer: Yes, he is.

Mr. Yakabuski: Well, if it's compensation —if you are going to be phased out—that means operations would cease and what about the workers?

Mr. Lewis: Who is going to compensate the 80 workers of Champlain Lumber in Blind River, or the 200 jobs dependent on it? Where was the member's government then?

Mr. Speaker: Order, please, this is the member for Renfrew South's presentation.

Mr. Lewis: There was another pause.

Hon. Mr. Grossman: The member keeps bringing in a red herring.

Mr. Lewis: It is not a red herring, it is about the lumber industry outside the park. The government doesn't save jobs in the lumber industry; it is hypocritical about it. It doesn't care about jobs in the lumber industry.

Mr. Cassidy: What about that firm that went down in Barry's Bay?

Interjections by hon. members.

An hon. member: They're mad.

Mr. Yakabuski: Anyway, Mr. Speaker, the bill before the House today, as I said earlier, is the middle-of-the-road route, the only reasonable and practicable route that any government could take under these circumstances. I am pleased the ministry has taken this route, because to us who live in that part of the province it means the preservation of those jobs. Algonquin Park will continue to be administered in a most efficient way whereby the majority of the people of this province will be able to enjoy it for a long while.

When I talk about the manner in which park affairs have been handled up until this time, I want to read from a letter received

from a German forester, one Prince Friedrich Karl Hohenlohe-Waldenburg—

Mr. Lewis: Prince Waldenburg?

Mr. Yakabuski: —one of Germany's chief consulting foresters. This is what he had to say after a visit to Canada, in which he had a side trip to Algonquin Park.

Mr. Lewis: When was that?

Mr. Yakabuski: This was in October, 1973.

Mr. Lewis: Was he levitated?

Mr. Yakabuski: No, I wouldn't say that.

Interjections by hon. members.

Mr. Yakabuski: This is a quote from his observations of the management efforts in Algonquin Park. It says:

> Impression from a day's visit to Algonquin Provincial Park, Ontario, Canada. By the courtesy of the Ontario provincial government, Ministry of Natural Resources and especially Mr. George, forest management supervisor, I was kindly invited for a day's visit into the park to see both recreational and logging use of this vast and most important forest region of Ontario.
>
> Logging in recreational forests is a familiar site to a forester from central Europe. As European forest areas are limited and human population dense, logging and recreational areas have to co-exist. Clear felling is tolerated to some degree where scenic beauty is revered, although thinning and various controlled regeneration cuts are more normal. So I was most surprised to see how carefully logging operations in Algonquin Park are controlled [This is even before the authority is created] in a way I never had expected to find in Canada.

Mrs. Campbell: Why does the government need the authority?

Mr. Yakabuski: He says:

> In the hardwood regions we visited, only selective cutting is done to enable all-age management. This is the type of management in certain species and is considered to be very complicated and costly in operation, while in most cases other types of management have secured European forests for two centuries and highly improved the conditions of these natural forests so badly damaged between the 16th and 19th century.
>
> In Algonquin Park hardwoods, three various grades of selected cutting result in abundant natural regeneration of maple, beech and other species and make the tops of remaining trees develop strongly. The tourist's impression is of a natural mixed stand of all ages with the occasional open area. Here, in an original wilderness, old trees torn down by gale, snow or mere age may have stood. This compares favourably to a homogeneous, equally-aged stand with hard-growth competition, smaller tops and less light penetration.
>
> Strict control of cutting is taking place, so that the amount of thinning is predetermined. Based on intensive research of every type of stand and every grade of cutting, exact foundation base areas have been defined. This was demonstrated to me at the timber research station at Swan Lake. Representative inventory shows species, present diameter structure, basal area, height and volume of all forests separated into certain blocks of the same type of stand. From there, computer-made tables enable the forest management supervisor to decide which grade is to be taken and what diameter limit is set. If, however, individual marking is done, still more control of forest appears and a very natural look can be attained.
>
> Once again I had the impression that Canadian foresters, and especially the Algonquin Park management, have means to control forest use more accurately than we do in Europe.

Mr. Ferrier: Listen to that.

Mr. Yakabuski: To continue:

> Of course, this is partly due to the homogeneous structure of large areas of Algonquin Park. European forests often show a scattered mixture of smaller stands, being homogeneous only in themselves. European forest management inventories just make sure the forest keeps or improves the present structure of age, volume and species, leaving the method to personal choice.
>
> Canada seems to protect its recreational forested areas by stricter regulations, although there are fewer visitors per square mile for recreation purposes than in Europe. In addition, views and places such as lakeshores, etc., are preserved and must not be touched in any kind of logging operation. Beyond the first 100-ft line limiting this area, logging can only gradually rise to the full amount of thinning and must not be visible from the lake's surface.
>
> Air inspection showed in at least one region considerable damage by gale. These

broken masses of wood, of course, make very natural scenery but they cause very serious danger for remaining forests by insects to conifers and by fire to both conifers and hardwoods. Most of them are inaccessible. Improved access for logging, especially some more forest roads, could save neighbouring stands by clearing these damaged areas.

Note, Mr. Speaker, what this noted forester said—

Mr. Ferrier: Did he write that letter to the hon. member?

Mr. Yakabuski: —about this area that was severely damaged by wind in late July or very early August, 1973. He mentions what a danger it creates. Now, if we had left all of Algonquin Park to nature, we would have dozens and dozens of the situations as he mentions here. And that would not be good forest management.

Although I must say logging touches Algonquin Park so slightly and in such a well-controlled way, compared even to the garden-like managed central European forests, in my opinion a perfect conservation of natural resources and an enormous region for recreation in unspoiled wilderness is provided at the same time, using this present method of management.

I wish to express, once more, my sincere thanks for having the opportunity to visit this park.

Mr. Speaker, I think that points out very well some of the things that we, as citizens of this province and perhaps even as members of this Legislature, are not aware of.

Many of us here in this House, and many people residing in the city of Toronto and in the more urban centres of this province, feel that Algonquin Park has been ravaged, exploited and everything else. That is just not the case, Mr. Speaker. Algonquin Park has been extremely well managed over the past 20 years.

I have to admit there may have been times —and I'm sure there were—when the lumbermen were not lily-white. I know there are things that the companies may have done over the years that we certainly wouldn't accept today. But I have to say in all sincerity that I firmly believe that those days are gone. They are days that are long past. I think the average lumber company and the average woods worker today are well aware of the other assets of Algonquin Park, and not only the wood resources. I think both the companies and those who work for them act in a very responsible fashion.

That is why, as a representative from the area, I am pleased that this bill has been introduced, that the Algonquin Forestry Authority will be established, provided that this bill passes this House, and that we can continue to keep Algonquin Park as a showplace, not only for our people, but for people from all over the world. I'm sure that with the increased inspection, if you want to call it that, or surveillance, we will have in the years to come a great recreational and resource asset right at our fingertips.

I am sure that in the years to come, 10 or 15 years hence, the people who come after us will be very pleased that the era, when it seemed to be in vogue to ban everything that touched nature, will have passed. They will say that this government, led by an able minister and ministry staff, took this course in the year 1974—

Mr. Cassidy: That is nonsense.

An hon. member: It is not.

An hon. member: He is right on.

Mr. Cassidy: They will be clamouring in five years to stop the logging, if we don't do it now.

Mr. Speaker: Order please. The hon. member has the floor.

Mr. Yakabuski: —so that Algonquin Park will be preserved, not only for those of special interests, but for all the people of the Province of Ontario. Thank you.

An hon. member: Here's the expert.

An hon. member: Now we are going to hear from the expert.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you very much, Mr. Speaker.

Interjections by hon. members.

Mr. Lewis: Throw them all out.

Mr. Speaker: Order, please; the hon. member has the floor.

Mr. Cassidy: We can't have this heckling going on, Mr. Speaker.

Mr. Lewis: Look at this, look at this levitation.

Interjections by hon. members.

Mr. Cassidy: It would derange the decorum of the House to have any decorum at the time in which I was uttering a few words, Mr. Speaker, and—

Interjections by hon. members.

Mr. Yakabuski: When has the member ever said a few words?

Mr. Cassidy: What's that?

Mr. Gilbertson: He is long-winded.

Mr. Lewis: How about Blind River?

Mr. Cassidy: Oh I'll say a few words. No, I think the member for Scarborough West has made an interesting point about the fact that the Conservatives don't care about finding alternative opportunities for eastern Ontario, for Parry Sound, for the North Bay area, for Victoria-Haliburton, when—

Interjections by hon. members.

Mr. Cassidy: I would ask, Mr. Speaker—

Mr. Speaker: Order please.

Interjections by hon. members.

Mr. Cassidy: Over the last three years that I have been in this House—

Interjections by hon. members.

Mr. Cassidy: —I have not once heard the member for Renfrew South raising the question about other kinds of job opportunities in his particular riding, nor the member for Parry Sound, nor the member for Victoria-Haliburton—

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Cassidy: Not one word.

Mr. Speaker: Order please.

Mr. Cassidy: When the firms closed down, I didn't hear a word from them.

Mr. Lewis: Bunch of eastern reprobates.

Interjections by hon. members.

Mr. Speaker: Order, please. I would ask the hon. members to allow the hon. member for Ottawa Centre to speak. And I would ask the hon. member for Ottawa Centre to return to the principle of the bill.

Mr. Cassidy: Fine, okay.

Mr. Lewis: He is right on the principle. They have no principles over there.

Interjections by hon. members.

Mr. Cassidy: And one of the principles of the bill, Mr. Speaker, is the very simple question of about 300 jobs a year over a period of about eight or 10 years. This is what it would take in order to phase out the logging in the park and provide alternative job opportunities for people who are currently working in the park.

Interjections by hon. members.

An hon. member: Think about that.

Mr. Cassidy: If you want to talk about the number of people who are affected, Mr. Speaker—

Interjection by hon. members.

Mr. Yakabuski: That's socialist crap. Those people couldn't manage anything, couldn't do anything, couldn't run anything.

Mr. Cassidy: Oh, we do pretty well out west.

Mr. Speaker: Order, please.

Mr. Cassidy: Mr. Speaker, let it go on record that the member for Renfrew South accuses me of socialist talk while supporting a bill to create a Crown corporation to log in Algonquin Park.

Interjections by hon. members.

Mr. Lewis: The only thing the member for Renfrew South has ever been able to run is a concession stand in Algonquin Park.

Mr. Cassidy: That's right.

Interjections by hon. members.

Mr. Yakabuski: We only talk about—

Mr. Cassidy: I would just read from a letter, Mr. Speaker, from the director of the timber sales branch in the Ministry of Natural Resources, which was written Nov. 20, 1973 — that's just over a year ago — to an inquirer, which says specifically that:

> The estimated employment dependent on the timber resources of the park has been determined as approximately 1,400, earning an estimated $5 million.

Now, I will grant, with the member for Scarborough West and others in the House, that the number of actual jobs within the park is moot. We are not exactly sure how many it is.

Mr. Lewis: That's right.

Mr. Cassidy: But the estimate that I have from the ministry is that after you take away the people who were in the hardwood and softwood lumbering industry outside the boundaries of the park—who were working within the 50-mile radius at this time—you have 1,400 people.

Over a period of about 10 years that it might take in order to phase out logging in the park entirely—over that period—you are talking of somewhere around 150 jobs a year in a province which is currently creating somewhere between 100,000 and 200,000 jobs a year.

Hon. G. A. Kerr (Solicitor General): That's a really facetious argument.

Mr. Cassidy: We have all heard the Minister of Treasury, Economics and Intergovernmental Affairs (Mr. White) say what a fine job the Davis government is doing in creating jobs.

Hon. Mr. Kerr: A couple of hundred here, a couple of hundred there.

Mr. Cassidy: It is beyond the capacity of this province—I know it is beyond the capacity of the government—but is it beyond the capacity of this province to find somewhere in the region of 200 jobs a year, particularly when the resources in hardwood and the other kinds of timber necessary exist in the same vicinity as the logging that is currently under way in Algonquin Park? Is that beyond the capacity of this province? The answer is clearly that what is wanting is the will and the commitment on the part of the government, certainly not the ability to do it.

If members of the government get up and say that it is not possible, out of 200,000 jobs that were created in the past year or so in the province, to find 200 jobs for one year's transition from logging within the park to logging on the fringes of the park, then I say that the government is completely incompetent.

Mr. Yakabuski: Let the hon. member go and tell those people they've got to go. Just kick them out of their homes.

Mr. Cassidy: I would say in addition, Mr. Speaker, that I find it regrettable that such crocodile tears be shed over these particular jobs when the members from the areas affected do not get up week after week and month after month. They aren't heard asking why so many jobs go to Metro Toronto and why so little is done for the east and north of the province. Not one word comes from those self-same members of the government.

Mr. R. G. Hodgson: The hon. member is wrong.

Mr. Cassidy: They don't ask questions about the wall-to-wall industry that is going in and adding to the congestion of Metro Toronto with firms that could provide employment opportunities for our people up in eastern Ontario—in Pembroke, in Renfrew, in—

Mr. Yakabuski: All our questions are not asked under this roof.

Interjections by hon. members.

Mr. Cassidy: The member for Renfrew South didn't ask about the demise of that timber firm—I have forgotten the name of it now—whose proprietors had an ODC loan and then were submerged, and reduced to the point of putting an advertisement into "This Week in the Madawaska Valley" to say that they had had the rug pulled out from under them by the Conservative government.

Mr. Lewis: That's right.

Mr. Cassidy: We didn't hear him try to defend those particular jobs.

Hon. Mr. Grossman: He hasn't talked on this bill at all.

Mr. Lewis: Of course he has talked on it.

Mr. Cassidy: But when there's a phantom threat—that's what it is, a phantom threat—because of the desire to keep one part of southern Ontario accessible for recreation purposes, then the crocodile tears start to flow.

Mr. E. M. Havrot (Timiskaming): Read him the report of the German forester again. He just doesn't understand.

Mr. F. Laughren (Nickel Belt): There's the anti-Haileybury member for Timiskaming again.

Interjections by hon members.

Mr. Speaker: Order, please.

Mr. Cassidy: Mr. Speaker, I must say this whole debate is deplorable, because we have come so close to actually getting a really positive decision from the government about Algonquin Park.

Mr. Lewis: Let the member for Timiskaming calm down and go back and build a nursing home in Haileybury.

Mr. Havrot: And we'll put the hon. member in it too.

Mr. Speaker: Order, please. The hon. member for Ottawa Centre has the floor.

Mr. Cassidy: All the readings that I have, Mr. Speaker, are that the government has been wavering very sharply on this particular issue. In fact to give him credit, the predecessor of the Provincial Secretary for Resources Development, Mr. Bert Lawrence, from what I can establish, fought as hard as can be within the confines of the government in order to get the policy decision made that logging would be phased out of Algonquin Park. Now, whether he wanted to do it in five, 10 or 15 years, I think it is probably immaterial. Mr. Lawrence was a man who knew the park intimately, who commuted there every summer. He knew its back routes. He knew its trails. He knew its campsites. He loved the park. He cared for it. And he knew what had to be done.

Hon. Mr. Grossman: Why didn't the member say that when he was here? All the member did was criticize him.

Mr. Lewis: We did.

Mr. Cassidy: We did, as a matter of fact.

Hon. Mr. Grossman: All the member said was how inadequate he was; never a good word.

Mr. Lewis. Well, we said that too.

Mr. Speaker: Order, please. Would you allow the member for Ottawa Centre to continue, please?

Mr. Cassidy: At the meeting in Ottawa, Mr. Speaker, Mr. Lawrence—

Mr. J. H. Jessiman (Fort William): Respect for the dead!

Mr. Speaker: Order, please.

Mr. Cassidy. At the meeting in Ottawa, Mr. Lawrence went about as far as he could as a cabinet minister when he said and I quote: "I think that the control of fires and the control of disease may be the only reasons for harvesting at all in Algonquin Park."

Everybody at that meeting knew where the then Provincial Secretary for Resources Development stood, but because of the attitude of the Ministry of Natural Resources, because of the pressure put on the ministry and on the government by the timber-cutting companies, because of the pressure put on the minister by people who are on the boards of such organizations as Power Corp. and so on, it was decided by the powers that be in the Tory party that logging would not be phased out. The minister gets up in the House, in introducing this debate, Mr. Speaker, and says, on the advice of the Algonquin Park advisory committee the government has decided to permit logging to continue in the park. I say to the minister that is a fabrication, because when the advisory committee in 1971 said: "Well, okay, you can keep on with logging in the park," they then were never given the opportunity to reconsider that.

Hon. Mr. Bernier: The member is off base completely.

Mr. Cassidy: In May, 1971, they said a Crown corporation was desirable, but the minister knows perfectly well that the opinion of the majority of members of that committee had changed by 1973 when they delivered their final report. The new terms of reference that were given to the committee in 1972, which wiped out its previous terms of reference, did not permit the committee to consider afresh the questions of logging in the park. And therefore they never got to it.

The ministry knew that position. In fact the ministry, as I understand it, was even preparing alternate cutting sites to the south of the park to which the logging companies could be transferred when the logging was taken out.

Mr. Jessiman: What an authority on logging!

Mr. Cassidy: What's that? I'm sorry, I missed the question.

Mr. Lewis: He said the member was an authority on logging.

Mr. Cassidy: All right; well I've learned a bit about it during the course of research on this particular question.

Mr. Lewis: So have I; I've learned a great deal about logging.

Mr. Cassidy: Mr. Speaker, the government wavered again after the definitive announcement that John Robarts was to be the president of the Algonquin Forest Authority. And now, of course, we hear nothing about that. He has clearly been tarred with a conflict of interest, because of his directorships on Power corporation and the Abitibi corporation, which have interests in the park; and because of the fact that he presided over the continued logging of Algonquin Park during

the years that he was Premier of this province.

It's a pity, though, that the best instincts of the government were not allowed to be felt and that the ministry didn't make the decision. I say to you, Mr. Speaker, and I predict to you, that the time will come when the government of Ontario ends logging in Algonquin Park. That time will come.

If it's this government, it will be forced to it kicking and screaming. In this and so many other things, it will eventually for a number of reasons change its position and decide that logging shall go out. If it's our government, we will go forward on a sensible programme to phase out the logging and provide alternate job opportunities.

Hon. Mr. Kerr: Don't stand on one foot too long.

Mr. R. G. Eaton (Middlesex South)**:** Waste our resources!

Mr. Cassidy: Let me say a word to the members who have spoken on this matter. In the first place, it seems curious to me that on the one hand the hon. member for Renfrew South should heap paeans of praise through the words of a German forester on the Ministry of Natural Resources foresters and their operations in Algonquin Park—

Mr. Lewis: Right.

Mr. Cassidy: —while the hon. member for Victoria-Haliburton and the hon. member for Renfrew South themselves are at the same time doing everything they can to undermine —what's the name of that report?

Mr. R. Hodgson: A point of order, Mr. Speaker.

Mr. Lewis: The Pierpoint report.

Mr. Cassidy: —the Pierpoint report prepared by a member of the same staff. They can't have it both ways.

Mr. Speaker: Order. What is your point of order?

Mr. R. G. Hodgson: I didn't say that. I didn't mention one person's name or one employee of Natural Resources, for whom I have the highest respect; unlike some members of the opposition who later apologized.

Mr. Stokes: The member admitted he never read his report.

Mr. Cassidy: He didn't read the report. I would just question, Mr. Speaker, if he has such high respect for the staff of the ministry, why is it then that they have been saying consistently that the ministry is wrong?

Mr. R. G. Hodgson: Can't I disagree with the report? Members opposite do all the time.

Mr. Cassidy: We know what it is. The hardwoods are not available from private land in the 50-mile radius at the price that the operators want to pay. That's the ministry's fundamental problem. It's not that they're not available. The hon. member for Victoria-Haliburton knows perfectly well that within half a mile of the major highways in his riding and the ridings of Hastings, Frontenac-Addington and all of those ridings along Highway 7 or to the north of it, there are vast areas of Crown land that aren't even touched. They were logged 50 years ago and haven't been touched again.

Hon. Mr. Bernier: Oh no!

Mr. Yakabuski: No. How ridiculous can one be?

Mr. R. G. Hodgson: Name 100 acres! Any 100 acres, name it. Can he not do that? He doesn't know what he is talking about.

Mr. Cassidy: Some of them don't even have hydro because they are so remote right now.

Mr. R. G. Hodgson: Name 100 acres.

Interjections by hon. members.

Mr. Yakabuski: He has no idea what timber is available outside Algonquin or in it.

Mr. Cassidy: Fine, I'll get a map.

Mr. R. Hodgson: Any 100!

Mr. Lewis: What does he know? From the Black Forest he knows! This is Algonquin.

Hon. Mr. Grossman: Back to the books.

Interjections by hon. members.

Mr. Cassidy: Mr. Speaker, when we phase logging from Algonquin Park we'll start with a declaration of policy.

Mr. R. G. Hodgson: The member better sit down before he makes a complete fool of himself.

Mr. Cassidy: Second, there will be some certain special areas where there are particular problems.

Kiosk has been raised. Kiosk is a good example, because of the fact that it is ac-

tually within the park and there's a community there. I would imagine the people of Kiosk would probably continue to find employment for quite a substantial period of time in a phasing programme, because they would be asked to remain within the park for the areas where there was regenerative logging and logging for the areas of high recreational use. That's the kind of thing one would do with the particular problem of Kiosk.

There may be a couple of other areas where there are particular problems that may require longer than a seven- or eight-year period to phase out. For most of the people now engaged in logging in the park it is perfectly simple, over a short period of years, to find alternative occupations in logging, particularly if we bear in mind that a substantial proportion of the logging workforce, in fact, is relatively mobile.

Let's face it, many of those people of whom he speaks are relatively mobile and already live 50 or even 100 or 150 miles away from the places at which they work at logging in the park. Clearly, therefore, if they are going to be working 100 miles from home they can be working in other areas and not the areas in which they are working right now.

If the logs are available on hardwood tracts in the province and in the 50-mile radius as they are—after all Mr. Speaker, according to the ministry's figures only about 11 per cent of the allowable hardwood cut in the province is being cut. I don't want to go further with my leader's figures, but he has put a pretty definitive case on the record.

Mr. Lewis: I think they are right. Those figures are right.

Mr. Yakabuski: It's absurd.

Mr. Cassidy: With the logs that are available, we then have to ask ourselves a question: Why is it that the operators want so desperately to stay in Algonquin Park? Is it not simply that they have grown accustomed to dealing with one operator, one owner, the Crown, which has been complaisant in its treatment of the private logging industry, and therefore has been allowing this resource to go at far less than cost?

I did some research on this. Why is it—if I can speak in a general way—that a third of the acreage logged in Ontario every year is neither regenerated by action of the ministry, nor by action of the operators, nor by natural regeneration? It is just simply left barren. Why is that permitted in this province? Why is it that the ministry receives only $15 million in revenues but spends $40 million for its operations in our woods? Why is it that the operators don't even pay their way on 200 million acres of Crown land? Why is it that the major reforms in logging policy in this province have always come after exposure of the kind of vandalism perpetrated by the industry, and there has never been any recognition or any movement by the ministry before?

Why do these things happen like that all the time? Why is it that people say that now, with the wildlands league, the operations of silviculture are greatly improved? For God's sake, there was a Conservative government in power when the trees that are being logged right now began to grow, back in the beginning of the century.

Mr. Lewis: That's right.

Mr. Cassidy: Where were the Conservatives then? Where were the Conservatives back in the 1940s and the 1950s?

These sudden-death conversions—

Mr. Yakabuski: All good policies for the past 30 years. It is the Hepburn era he is talking about.

Mr. Cassidy: Nonsense. That was such a short era.

Interjections by hon. members.

Mr. Yakabuski: I am going to go into that one of these days. I am going to talk about conflict of interest.

Mr. Cassidy: To heck with history, Mr. Speaker. Let me read a speech by the minister—

Hon. Mr. Kerr: He is defaming Woodsworth.

Mr. Speaker: Order, please. The member for Ottawa Centre has the floor.

Mr. Cassidy: I think they should all be tossed out, Mr. Speaker.

Mr. Speaker: It might be better if you spoke to the Speaker rather than speaking directly to the members across the floor.

Mr. Cassidy: I am speaking to you all the time, Mr. Speaker.

Mr. Lewis: He is speaking to you. He is just not looking at you, and you really can't blame him.

Mr. Speaker: I recognize that, the Speaker recognizes that.

Mr. Cassidy: They have a more provocative mien than you do, Mr. Speaker.

The Minister of Natural Resources in his speech to the Ontario Forest Industries Association on Jan. 22—which was actually read for him by the Minister of Transportation and Communications—paid tribute to the government's generous treatment of the forest industry over the past 24 years, and I quote:

> Our stumpage rates have not been altered since 1952. It is doubtful if you can say this of any of your other raw materials. [It certainly is doubtful.] We are mindful of your concern for increasing costs, while at the same time recognizing that the owners are entitled to a fair and reasonable return from their forests.

The owners, Mr. Speaker, are the public of Ontario in the vast majority of the cases, because most of the logging in this province is carried out on Crown land, and the stumpage charges that are charged by the ministry are probably the only fee or price in the province that hasn't changed since 1952.

Mr. Yakabuski: That is why the member shouldn't be against the bill. It cancels all those licences in the park.

Mr. Cassidy: If it cancelled the licences and brought in the authority in order to phase out the logging over five, or six, or seven years, while providing alternative job opportunities, we have said again and again that we would support it. But that's not what the bill says. The bill is a commitment to the continued exploitation of Algonquin Park.

Mr. R. G. Hodgson: Where does it say that?

Mr. Cassidy: It even permits an increase in the logging in the park rather than a decrease.

Mr. Lewis: Hear that!

Mr. Yakabuski: That is letting down the workers.

Mr. Cassidy: There is not even an assurance in the bill, Mr. Speaker, that the companies will pay their fair share for the logs. There is some reference to a reasonable price and that the authority should get a reasonable rate of return, but nothing more than that. Given the way in which this ministry has held hands with the forest industry and played footsie with the forest industry these many generations, given the fact that they never saw fit to raise the stumpage charge, we have no assurance and no confidence in the ministry that they will do any better with the Algonquin Forestry Authority.

Hon. Mr. Kerr: Does the member want the cost of housing to go up again?

Mr. Cassidy: The companies are finding the heat in the park pretty hard to bear. They're finding some of the rules that have been laid down for them a bit tough, so now they're saying: "Okay, we'll let the ministry do it for us; we'll hand it over to them." And the ministry is coming in to bail them out and to create what is needed, which is a fair price for this resource—which is a scarce and dwindling resource—while at the same time—

Mr. Yakabuski: Does he think the operators are happy with this bill?

Mr. Cassidy: —preserving our only substantial, really major recreational environment in southern Ontario on an unspoiled basis.

Hon. Mr. Kerr: He is not looking at the Speaker.

Mr. Cassidy: I know that Polar Bear Park is unspoiled wilderness, but I think it's north of the treeline. In addition, it's simply not within reach for people in Toronto, for people in Ottawa and the other urban areas of the province. The interest of the rural people and of the loggers, and so forth, must be protected. But we must have—

Mr. R. G. Hodgson: Support the bill.

Mr. Yakabuski: Support the bill.

Mr. Cassidy: —the foresight to do that, while at the same time protecting the future for our kids—

Mr. Yakabuski: Come on down.

Mr. Speaker: Order, please. Order.

Mr. Cassidy: —and our children's children's children. I don't want to stand up when my grandchildren come to me in 25 years' time—

Mr. Yakabuski: That won't work.

Mr. Cassidy: —I don't want to have to tell them that the park was raped and I permitted it. I'll be proud to tell them that whatever happens to Algonquin Park, I did whatever I could to ensure that the natural environment of Algonquin Park was kept. That's what we want to see, Mr. Speaker, and that's why we're going to oppose this

bill—and we call on the government to withdraw it now.

Mr. Speaker: Does any other member wish to speak before the minister?

Mr. Lewis: Come on, aren't there any other vested interests here?

Hon. Mr. Kerr: We're protecting the working man.

Mr. Speaker: The member for Thunder Bay.

Mr. Lewis: Now the truth. Now the big guns come into the picture.

Mr. Yakabuski: A lot of loggers in the north.

Mr. Ferrier: The minister is shaking in his seat now.

Mr. Speaker: Order, please. Order. The member for Thunder Bay.

Mr. Lewis: He knows about logging.

Mr. Yakabuski: We know where his heart is.

Mr. Stokes: Mr. Speaker, I've waited seven years in this Legislature for anybody to take seriously a realistic forestry management programme in the Province of Ontario. This is the first occasion that we've been able to generate enough interest in forestry—one of the mainstays of the economy of the Province of Ontario—and it took the exploitation of those values in Algonquin Park to get the kind of participation that we have had here in my tenure in this Legislature.

Mr. R. G. Hodgson: He hasn't been here forever, has he?

Mr. Stokes: No, I haven't; but seven years is a considerable time to wait to have a realistic—

Mr. Lewis: Believe me, it feels like eternity.

Mr. Yakabuski: Forest management is going on all the time.

Mr. Stokes: I would question, Mr. Speaker, the speed and so-called urgency with which the minister introduced this Bill 155, An Act to incorporate the Algonquin Forest Authority.

Mr. Yakabuski: The member has known since July, 1973.

Mr. Stokes: It was given first reading—

Mr. R. G. Hodgson: He has been debating it for six years.

Mr. Stokes: —late in the afternoon, last Thursday.

Mr. Yakabuski: We told him in July, 1973.

Mr. R. G. Hodgson: Let him admit he didn't do his homework.

Mr. Stokes: Immediately after—

Mr. Ferrier: Bring those fellows into order, Mr. Speaker.

Mr. Eaton: They don't like it when they get some of their own medicine.

Mr. Stokes: —immediately after the introduction of this bill I met two assistant deputy ministers out in the hall, Mr. Art Herridge and Mr. Lew Ringham. They wanted to know if there was going to be much opposition to the bill itself and whether or not there was going to be any prolonged or detailed scrutiny of the Pierpoint report; something that had just been placed on our desks about 10 minutes earlier. I said: "It will take us at least the weekend to digest what is in the report, do a critique on it and ask some questions as to some of the conventional wisdoms contained in the report."

I was given an assurance by Mr. Herridge that he would be returning to the city on Tuesday and either he personally, or somebody within the ministry, would be more than willing to sit down and discuss the details of the Pierpoint report, and make us aware of some of the premises and some of the directions they chose to go, and would be more than willing to fill us in on any of the details. But because of the so-called urgency of getting this bill through second reading, we haven't had the benefit of their thoughts on a lot of the so-called conventional wisdoms contained in the Pierpoint report.

My leader, in conjunction with my colleagues and myself and our staff, has gone over the details of the report and we have tried to analyse in an honest, a sincere and a realistic way the assumptions and the claims made in the report that led the minister to introduce this bill setting up a Crown corporation to be called the Algonquin Forestry Authority.

I'm wondering, Mr. Speaker, whether the minister thought that he could silence the opposition and discourage a detailed analysis of the claims that have been made by hurrying, in this way, the passage of this very

important piece of legislation through the Legislature.

I want to assure the minister that we, too, are concerned about what happens to Algonquin Park. We are also concerned about the jobs, notwithstanding the fact that the member for Parry Sound, the member for Victoria-Haliburton, the member for Hastings, and the members for Renfrew South and Nipissing have suggested that we in this party couldn't care less about the jobs of those people who are so reliant—

Mr. Gaunt: The member for Nipissing never said anything like that.

Mrs. Campbell: No he didn't.

Mr. Stokes: He was concerned about the jobs.

Mr. Gaunt: He was concerned.

Mrs. Campbell: He was indeed.

Mr. Stokes: Yes, we too are concerned about those jobs. We are really, genuinely concerned about those jobs, and if we thought for one moment there was going to be a mass lay-off of people who depend upon that resource for their livelihood, we wouldn't be standing here making the argument that we are making tonight.

Mr. Lewis: That's right. That's fair enough.

Mr. Stokes: We have a genuine concern for those who rely on the forestry resource in the St. Lawrence-Great Lakes region.

I'm just wondering, when Mr. Pierpoint detailed this study and made it available to the minister, whether he thought back and thought how fortuitous it was that the person who was responsible for setting up Algonquin Park in the first place—I think it was a Dr. Zavitz, if I remember correctly, in the 1880s or the 1890s—happened to choose on a map an area of the St. Lawrence-Great Lakes region that happened to be so much more productive than the rest of the area that we are talking about, the periphery within a 50-mile radius of the park boundaries.

Are we to believe that he had a special gift that made it possible for him to delineate the borders of the park and say that is precisely where it is going to be? I don't believe that for one moment. I think for the minister and those members on the opposite side who have spoken in favour of this legislation to suggest that an area, by the minister's own admission, five or six times greater than the actual area of the park itself isn't capable of providing a sufficient amount of timber of all species, whether they be hardwood or whether they be conifers—

Mr. R. G. Hodgson: It doesn't have it. There is a difference between capable and what it hasn't got.

Mr. Stokes: If that area five or six times the area of Algonquin Park is not capable—

Mr. R. G. Hodgson: It doesn't have it.

Mr. Stokes: Well, all right, okay, but if it isn't capable, it is really a condemnation, a severe indictment of this ministry over the years, to come up with an adequate forest management policy in the Great Lakes-St. Lawrence region.

The member for Parry Sound mentioned the silvicultural practices, the experimentation and the reforestation that is associated with the Swan Lake area inside the park under the expert guidance of a chap by the name of Mac MacLean. Had the ministry put him out into the periphery of the park, when he is doing such wonders in a plot that is controlled, where the ministry is carrying on these reforestation, silvicultural practices, therapeutic logging and cosmetic intervention by the minister and his staff, I wonder how much better job the ministry could have done on the periphery of the park, which admittedly is five or six times the size.

For anybody to suggest that simply because it happens to be inside the park as opposed to outside the park, it is of necessity more productive, I find extremely difficult to believe. I have never heard of the kind of concerted effort to undertake any silvicultural or regeneration practices in the St. Lawrence-Great Lakes region, which is a traditional hardwood stand, to the extent that the ministry has done in other areas where coniferous species are, in fact, the dominant species.

I am told by people within the ministry that because of the ability of the hardwood species to reproduce on their own, given the proper sunlight, there isn't the need to engage in the silvicultural practices and the good husbandry that is required in many, many areas of the province where the climatic conditions and soil conditions militate against reproduction in the order that we would like to see it.

Mr. R. G. Hodgson: Take the member for Ottawa Centre out and give him a lecture.

Mr. Stokes: It is much simpler to allow for the regeneration of the species that we are talking about, in the areas that we are talking about, both for conifers and the hardwood

species. I want to say in the strongest terms possible, Mr. Speaker, that I think that a statement by the ministry that there isn't a sufficient capacity on the periphery of the park, which is five to six times larger than the area contained in the park, has to be a complete condemnation of the way that the government has mismanaged the traditional hardwood forest in southern Ontario.

Hearken back to what the Kennedy report said in 1948, up to the Brodie report in the late Sixties, and shortly after that the Ontario Economic Council report, and the Hedlin-Menzies report—but particularly the Ontario Economic Council report, where they said this ministry stood condemned because they weren't utilizing many, many areas of the province, particularly in southern and eastern Ontario, where the climatic conditions and soil conditions are much more conducive to the reproduction of this resource that we are talking about.

I see the Minister of Agriculture and Food (Mr. Stewart). I engaged him in a little dialogue during his estimates, where I asked him to what extent he was trying to prevail upon those people who held significant blocks of land that would be considered useful for the production of trees, as opposed to a marginal farming operation. He said that thanks to the efforts of the Ministry of Natural Resources, and with the urging of his own ministry, the Ministry of Agriculture and Food, they had finally convinced the owners of private land in southern Ontario that this is something they should be doing. Now we get the Minister of Natural Resources saying how successful the Woodlands Improvement Act has been over the years; and they were opening up whole new vistas for a resource that hadn't been tapped to the extent that it was possible in the past, but all systems were "go" for the future by the implementation of the Act and making better use of the private woodlots. What did he have to say about that?

Mr. Speaker: Order, please. Would this be a convenient place for the member to break his remarks?

Mr. Stokes: Fine.

Mr. Stokes moves the adjournment of the debate.

Motion agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House I would like to call the following order of business; they may not be exactly in this order but I call them so that the members will be prepared: item 5, considering bills 139 and 152; 7, Bill 68; 27, Bill 144; 18, Bill 129; 19, Bill 130; 20, Bill 131; 32, Bill 154; 15, Bill 118; 6, Bill 55; 5, Bill 62. That is through to Thursday evening; on Friday we will call the budget debate. If the opposition is co-operative I have another list ready to go.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Legislature of Ontario Debates

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Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, NOVEMBER 26, 1974

The House met at 2 o'clock, p.m.

Prayers.

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, may I take this opportunity to introduce to you and to the members of the Legislature 29 grade 8 students from St. Ursula's Separate School in Scarborough, along with their teacher, Miss Lackett. Would you join with me in welcoming them to the House?

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I, too, would like to draw to your attention that we have some guests in the gallery as well, members of the Women's Liberal Association from the city of Kingston. I am sure you will be glad to welcome them.

Mr. L. C. Henderson (Lambton): Mr. Speaker, may I take this opportunity, through you, to introduce to the House two very important people who are here with us today. This year the town of Petrolia celebrated its 100th anniversary as a town, and we have the centennial queen, Miss Heather Bourne in the lower gallery. Along with her, we have Miss Maxine Freer, who is the dairy princess for our area for 1973-1974. I would ask you all to welcome them.

Mr. Speaker: Statements by the ministry.

The Minister of the Environment.

AIR POLLUTION CONTROL STANDARDS

Hon. W. Newman (Minister of the Environment): Mr. Speaker, it is my pleasure to inform the members of this House of the enactment of new and amended air pollution control regulations for the province to be effective immediately.

The Ministry of the Environment has established emission standards for 84 contaminants and criteria for desirable air quality for 23 substances, including lead.

I would like to emphasize that in all matters related to the health of Ontario residents we have worked in close co-operation with the Ministry of Health. This new standard for lead emission reduces by 50 per cent the amount of lead allowed to enter the air as suspended particulate. The members will recall that this standard was a major recommendation put forward in the recent report by the working group on lead.

We have provided a better method of enforcing our emission standards for all of the 84 contaminants listed in the new regulations. We can now determine the concentration of a contaminant at a specific point in a neighbourhood. The previous regulation offered emission standards for 20 substances, and many of these standards have been tightened. Also we have now established more definite criteria for air quality in the community, based on acceptable levels of various substances in the ambient air. These criteria aid us in detecting air offences and the probable source of the contaminant.

By establishing the more rigorous emission standard for lead we have strengthened our programme to control exposure of lead pollution to the people of this province. It calls for the best control equipment that technology can offer. The amendments are based on two years of ongoing study and testing. We had two major objectives: to provide a better method of enforcing the emission standards for any of the 84 contaminants now covered by the regulation, and to offer clearer criteria for air quality in the community. The tighter lead standard now gives us a more rigorous control of lead emissions to protect the public and, of course, our research and control programme is ongoing. We were able to establish these emission control standards because of our ongoing research based on the data which our ministry obtained directly, and from studies carried out throughout the world. When our research provides us with the evidence we require, standards for additional substances will be set.

In this regard, I am aware that the members of this House and the people of Ontario whom they represent are greatly concerned by the apparent threat to our environment posed by the use of vinyl chloride in some manufacturing processes. I wish to report that our ministry has been alert to this problem since last January when the vinyl chloride

hazard first surfaced in the United States. At that time, the research scientists and technicians of our ministry undertook a study of vinyl chloride as it affects the ambient air. To date there have been no reported afflictions among workers engaged in the vinyl chloride industry in Canada. Companies within the vinyl chloride industry in Ontario are co-operating with the Environment Ontario officials in our research.

The findings of this research have resulted in the establishment of a criterion which limits the emission from vinyl chloride within safe limits. We have established 0.1 parts per million of vinyl chloride averaged over 24 hours as the guideline for desirable air quality in the community. Research carried out by my ministry in Ontario and the findings of studies in the United States established that there is a definite safety factor at this level. Comprehensive research into air contamination by vinyl chloride gas was initiated by my ministry's air resources branch in January, 1974, soon after a possible link was suspected between vinyl chloride workers in the United States and a rare form of liver cancer called angiosarcoma.

The water resources branch of the Ministry of the Environment is investigating possible discharges of vinyl chloride in the waste from these plants. Environment Ontario officials are in communication with occupational health authorities in Sweden, USSR, Italy and Germany. The ministry monitors periodicals, papers and other sources of information to enable Environment Ontario to respond as quickly as possible to new and relevant information and discoveries.

In summary of my report to members, on vinyl chloride, I believe it is a fair statement to say that we have taken every precaution to ensure that the health of Ontario residents is not affected. Once again, my ministry and the Ontario Minister of Health (Mr. Miller) are working very closely together on the situation. We shall, of course, continue these efforts with the expectation that firm standards will be set in the near future.

INTERNATIONAL WOMEN'S YEAR

Hon. Mrs. Birch: Mr. Speaker, in recognition of the important contributions that women have made to the economic, social and cultural development of nations and to promote full equality between men and women, the United Nations has proclaimed 1975 as International Women's Year.

In Ontario, we have undertaken specific measures to ensure that both men and women can participate fully in the life of our province. I believe that we have made significant progress, but it would be unrealistic to overlook the fact that there are still barriers for women in many fields of endeavour, and that, in fact, discriminatory attitudes still exist and must be overcome.

International Women's Year will provide a focus for special efforts to assist women to achieve the goals they choose. Ontario has planned a series of events and special activities to create public awareness of the new roles and needs of the women of this province.

Mr. Speaker, I would like to outline briefly a few of the programmes to be held during International Women's Year.

On Feb. 18, the government of Ontario will convene a meeting of representatives of labour and management to focus attention on equal employment opportunities for women. As the members may know, two of every five women—that is, 1.2 million women—in Ontario are now employed outside the home. At the February meeting the government will ask for the support of both labour and management in programmes to assist women who seek expanded opportunities within the labour force. A follow-up meeting will be held late in 1975 to assess the achievements of the programme in accommodating the legitimate expectations of women.

Organizations engaged in professional, social and cultural activities will be encouraged to undertake their own special projects and events to mark this occasion.

The programme for next year will include provincial grants for amounts up to $1,000 for groups who plan special projects to celebrate International Women's Year. And the government plans to honour a group of women who will be nominated by their own communities or organizations for outstanding achievement.

International Women's Year will be promoted with a broad educational and information programme in an effort to reach those who are in a position to implement change as well as those who are affected by change.

During the year, legislation will be introduced by the Attorney General (Mr. Welch) on a broad range of subjects related to family law. The introduction of legislation follows a provincial tour by the Attorney General which generated public discussion on the report of the Ontario Law Reform Commission on family property law.

Property rights, the rights of children, support obligations and a number of other con-

cerns dealing with one's status within a family situation have been highlighted by discussions within women's groups around the world, including a group of 500 women who came from across the province at the invitation of the Ontario Status of Women Council for a conference sponsored by the Secretariat for Social Development. New legislation in this area will be introduced during International Women's Year to bolster the efforts of the Ontario government in achieving the greatest degree of social and legal equality possible in this area of law.

It is my hope that throughout 1975, men and women will work together toward the realization of the goal set by the United Nations—equal opportunity for all.

FIRE AT POSTAL STATION A

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, before the orders of the day I would like to make a short statement to the hon. members concerning the fire at postal station A and the effect that it may have on the Ontario government mail.

I have been advised by the postal authorities that all mail which had been sent by my ministry's government mail service to Canada Post at terminal A was cleared for delivery prior to the outbreak of the fire. In addition, my ministry is making arrangements to ensure that Ontario government mail which is normally sent to this terminal will be processed and delivered in the speediest possible manner.

Apparently it is possible there could be water damage to a small portion of the incoming mail which had been held at terminal A for delivery to Queen's Park, but such mail should not be otherwise affected. Members of the public, Mr. Speaker, who have reason to believe that their correspondence has not reached the Ontario government may wish to send duplicate copies to ensure delivery.

Mr. Speaker, we are still following up and checking up on this and advising some of the ministries who may have had mail affected by the fire perhaps to duplicate important correspondence so that there will be no delays.

Mr. Speaker: Oral questions.

LAND ASSEMBLIES

Mr. R. F. Nixon (Leader of the Opposition): I would like to ask the Treasurer, Mr. Speaker, if he is prepared to make a statement pertaining to the land assembly in Edwardsburgh township and also in the Haldimand area of the present region of Haldimand-Norfolk. Is he aware that there are substantial acreages being assembled apparently by private land dealers? Is the government of Ontario involved in this in any way or is this, in fact, a speculative assembly?

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, I know everything about these assemblies and I will be making a statement to the Legislature in the present session.

Mr. R. F. Nixon: A supplementary: We must therefore assume that the assemblies are being made on behalf of some government programme. Might we assume that the lands will be assembled to come under the jurisdiction of the Ontario Land Corp.? Is that what the minister has in mind?

Hon. Mr. White: One may assume anything one wants but I'm not going to make a statement today.

Mr. I. Deans (Wentworth): A supplementary: May I ask whether the proposed Hamilton-to-Nanticoke transportation corridor has any effect on the use to which these lands that are being assembled might be put?

Hon. Mr. White: Mr. Speaker, I will be making a statement on these two particular matters in the present session but I'm not prepared to do so today.

Mr. Speaker: Are there any further questions?

Mr. R. F. Nixon: A supplementary, Mr. Speaker, with your permission: We are concerned about the welfare of the people who own those properties.

Mr. Speaker: Order, please. I don't see how there can be a supplementary when there is no answer.

Mr. R. F. Nixon: Are they supposed to option it for $500 because the government is buying it?

Mr. Deans: There is a supplementary, Mr. Speaker. How are the people supposed to reasonably discuss the corridor study, starting tonight, without knowledge of what that land assembly is about?

Hon. Mr. White: Well, sir, I will be dealing with this at the earliest opportunity but I can't do it today.

Mr. Deans: They shouldn't be doing other things, then.

Mr. S. Lewis (Scarborough West): A supplementary.

Mr. Speaker: No. The Leader of the Opposition. Order, please. Does the Leader of the Opposition have further questions?

SOUTH MILTON DEVELOPMENT

Mr. R. F. Nixon: I would like to put a question to the Minister of Housing, further to his statement yesterday, Mr. Speaker. In the material he tabled, is he aware that the director of land acquisitions for Ontario Housing, Mr. Procter, warned him of the problems of acquiring the property in that area using the procedure that he did use, indicating clearly that it would result in an escalation of cost, one that we might infer would be an unwarranted escalation since it resulted in the unconscionable profits that we have referred to?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I read the notes that I tabled very carefully. I'm well aware of Mr. Procter's handwritten notes. We are also well aware that if we hadn't assembled as we did we would have been paying, at this particular time, a much higher price than we did at that time. Therefore, we disregarded the fact that we—

Mr. Breithaupt: Not if the government had shopped around.

Mr. M. Cassidy (Ottawa Centre): The minister said that land prices were coming down.

Hon. Mr. Irvine: —have handwritten notes saying it was going to be a difficult assembly.

Mr. V. M. Singer (Downsview): "Abnormally" difficult.

Hon. Mr. Irvine: We went ahead and assembled the land, in my opinion, as I said yesterday, at a very reasonable cost to the people of Ontario, and we can't go ahead on the basis of expropriation.

Mr. Breithaupt: What's a million?

Hon. Mr. Irvine: We've explained that before.

Mr. R. F. Nixon: Why? The minister certainly has not.

A supplementary: Whose judgement then overrode the director of land acquisitions who obviously felt, as part of his responsibility, he had to warn his superiors about this. Was it the judgement of the minister or the chairman of the board of the Ontario Housing Corp. that would lead to disregarding this advice which led to the payment of that $1 million speculative profit on 600 acres?

Hon. Mr. Irvine: Mr. Speaker, I think it's fair to say that any minister, at some time or other, doesn't go along with the recommendations of his staff.

Mr. R. F. Nixon: So it was the minister.

Hon. Mr. Irvine: The Ontario Housing Corp. board made a decision, the government made a decision and we stick by that decision as being a good decision.

Mr. Breithaupt: Why?

Mr. Singer: By way of a supplementary, Mr. Speaker, I wonder if the minister could tell us what kind of an offer was made to Freedman on Dec. 12 when one of the agents approached him for the first time, apparently, and how many acres were offered, and why he was then given a month in which he was allowed to assemble several parcels of land at as much as $2,000 or $2,500 lower than the government eventually paid for these lands?

Mr. Breithaupt: It was an offer he couldn't refuse.

Hon. Mr. Irvine: Mr. Speaker, the member for Downsview was here yesterday; he was here last week. I went all through this yesterday.

Mr. Singer: I'm taking it out of the statement.

Hon. Mr. Irvine: I told the member that the one parcel that was offered was for a certain amount of money. That's in the statement. He has a copy of the statement. I gave him a copy of the statement.

Mr. Singer: The minister didn't give me a thing. On a point of order, Mr. Speaker.

Mr. Speaker: Order please.

Mr. Singer: On a point of order, Mr. Speaker, I was going to raise this earlier, but the minister focuses attention on it right now. He delivered his statement yesterday, he tabled 4 in. of supporting material, copies were made available to the press and not a single copy came to the opposition. So he didn't give us a single thing yesterday.

Mr. R. F. Nixon: Not even his statement.

Mr. Breithaupt: We had to get it from the clerk.

Mr. R. F. Nixon: We had to get it from the Clerk.

Mr. Speaker: Does the Leader of the Opposition have further questions? Is the minister still answering?

Hon. Mr. Irvine: Mr. Speaker, just so that we clarify that point, I happened to notice that the member for Downsview picked up all the material that I tabled and looked through it very carefully, I thought; I hope he did.

Interjections by hon. members.

Mr. Singer: Yes, well, answer the question then; answer the question.

Mr. J. M. Turner (Peterborough): Try again.

Mr. Singer: Mr. Speaker, back to the point of order.

Interjections by hon. members.

Mr. Speaker: Order please. There is nothing out of order in the proceedings. It is a question and answer period and there is nothing out of order that I can see, so there is no point of order.

Mr. J. A. Belanger (Prescott and Russell): Grandstanding again.

Mr. Lewis: And he wants it wrapped in a ribbon. Do that next time.

Mr. Singer: All right, my point of order is this: I think it is degrading to the House that the minister should make available to the press supporting documents and copies of his statement about a matter that has been discussed in this Legislature for about 10 days and not make copies available to members of the opposition. The only way that members of the opposition can get it is to take what has been tabled here, make individual copies and then happen to snaffle a copy of the statement that was given to the press. I suggest that the ministry is holding this Legislature in extreme contempt.

Mr. Lewis: The member snaffled it?

Mr. R. F. Nixon: Contempt, that's right.

Mr. Singer: Now, Mr. Speaker, I wonder if I could get an answer to my question?

Interjections by hon. members.

Hon. S. B. Handleman (Minister Without Portfolio): He really doesn't want the facts.

Mr. Speaker: Order please, order. The original question had to do with the warning by one Mr. Procter. The supplementary question got a little far away.

Mr. R. F. Nixon: It had to do with his statement yesterday.

Mr. Speaker: Does the Leader of the Opposition have further questions?

Mr. Singer: No, no, Mr. Speaker. I didn't get an answer to my question yet.

Mr. Lewis: What does the Speaker think of snaffling?

Interjections by hon. members.

Mr. Singer: All right. May I ask a supplementary to his answer, Mr. Speaker?

Mr. Speaker: Apparently the minister has not completed his answer yet.

Mr. Singer: The minister hasn't completed it. Would he complete it please?

Hon. Mr. Irvine: I'd be happy to, if the member would sit down for a minute.

Interjections by hon. members.

Hon. Mr. Irvine: Mr. Speaker, all I wanted to point out to the hon. member was this, that I knew he picked up the material; he sent me a note and I agreed to give him all the information, tied with a ribbon, and make sure it was given to him. If he hasn't got it now, I'll make sure he gets it.

Mr. Singer: Twenty-two hours late.

Hon. Mr. Handleman: We won't use the federal postal service. He will get it.

Mr. Singer: That minister was no hell as a Minister of Housing either.

Mr. R. F. Nixon: The Minister without Portfolio is feeling better.

Hon. Mr. Irvine: If I remember correctly, some moments ago, Mr. Speaker, the member mentioned the transaction of a particular parcel of land. That was in the statement. We were offered one piece of property at a certain price. We said that was not acceptable, because we were assembling a large acreage of land. At the same time, Bonnydon came back to us and said they would reconsider. That is in the statement. All the member has to do is read the statement.

Mr. R. F. Nixon: Yes, they picked up more land after the minister's first offer.

Hon. Mr. Irvine: Bonnydon assembled a parcel of 11 properties. That's in the statement. We also said that we did not accept one of the parcels because of the title not being proper.

Mr. Singer: That is not true either.

Hon. Mr. Irvine: I don't know about that.

Hon. Mr. Handleman: Oh, withdraw. Mr. Speaker, order.

Mr. Speaker: Order please.

Mr. Singer: That's not true.

Hon. Mr. Irvine: Mr. Speaker, I have never deliberately misled this House and I don't want the member to suggest I have.

Interjections by hon. members.

Mr. Singer: On a point of order about the question, I didn't say the minister is deliberately misleading the House. I said the statement he made was not true. I didn't say he deliberately misled the House.

Mr. Speaker: Order please.

Mr. Singer: For the minister's information there was nothing wrong with the title. The reason the deal didn't close was that the man Mickelev thought he had been had and nobody can find him to serve writs on him.

Mr. Speaker: Order please.

Mr. Singer: That's what's wrong with that deal.

Mr. Speaker: Order.

Mr. Singer: By way of supplementary, Mr. Speaker, if I may, could the minister explain why the Freedman-associated companies were given a period of a month in which they were able to acquire many properties, when they knew the price the government was going to pay for them, and thereby increase their profit to perhaps as much as $2 million at the expense of the taxpayers of Ontario?

Hon. Mr. Irvine: Mr. Speaker, I don't know how many times we want to go around this circle, but we can go just as many times as the member for Downsview wants to.

Mr. A. J. Roy (Ottawa East): Well, give us an answer.

Hon. Mr. Irvine: I am not going to say that we gave information to Freedman at any time. I'm saying we negotiated in good faith with all the parties involved in the transaction—

Mr. Lewis: As a matter of fact, Alice in Wonderland—

Mr. Singer: The minister negotiated with them in December for 200 acres—and a month later they sold him 1,250 acres at vastly inflated prices.

Hon. Mr. Irvine: —with all the parties involved in the transaction—

Mr. Speaker: Order please.

Hon. Mr. Irvine: —and the transaction stands today as being a very good public piece of property for development in the future.

Mr. Speaker: Any further questions?

ARBITRATION AWARD FOR WORKERS IN DUTTON CONVALESCENT HOME

Mr. R. F. Nixon: I would like to ask the Minister of Labour if he has been informed of an award made under the terms of the Hospital Labour Disputes Arbitration Act in the contractual dispute between the Bobier Convalescent Home in Dutton and the union representing the workers? The award which was made by Judge Harold Lang, retired, was $2.16 an hour. Does the hospital disputes law permit the judge to make an award less than the minimum wage in this province?

An hon. member: Shame.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I am not aware of that award. I do not think that it does permit that; I think the hospitals still have to comply with the minimum wage. I am saying I think that's the case; I would hope it was the case.

An hon. member: Let's hope so.

Mr. R. F. Nixon: A supplementary: If the minister would look into the matter specifically would he make us aware of what we assume would be a fact, that the enactments of this House would take precedence over the decision of the judge in this case, and that those people are being paid at least the minimum wage?

Hon. Mr. MacBeth: Mr. Speaker, I will be glad to investigate it. I don't know the facts of the case or how far back it goes; it

may go back to a period prior to the new minimum wage. How far back does it go?

Mr. R. F. Nixon: The award was made on Nov. 13, 1974.

Mr. Roy: A week.

Hon. Mr. MacBeth: I don't know what the fringe benefits are, Mr. Speaker, but I will be pleased to get that information for the House.

Mr. Lewis: By way of supplementary, I am almost tempted to say, "Why doesn't the minister know?" because this is a classic award. But that apart, the minister understands that the minimum wage must apply and that in fact the workers are being paid at the $2.25 level. The question is, who are these judges that the minister is appointing under the Hospital Labour Disputes Arbitration Act who are capable of rendering a decision which locks workers for two years into a wage level below our minimum wage, in theory if not in practice, and denies them an effective increase until the end of 1975? Where does the minister find these people?

Hon. Mr. MacBeth: Mr. Speaker, we have some very excellent people doing this work, very sincere people—

Mr. Lewis: Oh yes, they are quite extraordinary. That is what is destroying the hospital workers.

Hon. Mr. MacBeth: If the member is suggesting that I should have a copy of this award at my fingertips, I don't have that, Mr. Speaker, as I have mentioned. I think there must be other facts involved of which the members opposite possibly are not aware—

Mr. R. F. Nixon: Well, we would like the report.

Hon. Mr. Macbeth: —but, as I said, I will try to get that information.

Mr. Speaker: Does the Leader of the Opposition have any further questions?

The member for Scarborough West, then, with his questions.

REPORT ON ELECTION EXPENSES

Mr. Lewis: Yes, if I could, I have a question of the Premier; and maybe it's a question asking him to respond in a personal way, with a personal view. Does the Premier believe that there should be an overall ceiling to campaign expenditures at the riding level and at the provincial level by individual political parties in Ontario?

Hon. W. G. Davis (Premier): Mr. Speaker, to answer that question properly, I think one has to look at the total report and to recognize the practical implications and the experience of other jurisdictions that have endeavoured to establish a limitation, such as the problems of enforceability and the fact that it's not always adhered to.

I think it is fair to state, Mr. Speaker, that my prime concern has been and still is with the aspect of disclosure, so that the public is totally aware of those people who contribute to the various political parties.

Until I have thoroughly read the report and discussed it with my colleagues, both in cabinet and caucus—because I want the legislation to reflect that which is practical—and certainly with the assistance of the commission, which I think is a very comprehensive approach to it, Mr. Speaker, I don't intend to indulge in any, shall we say, debate or discussion on one or two aspects of the report. I think it has to be considered in its entirety.

Mr. Cassidy: Pretty important aspect, you know.

Mr. Lewis: A supplementary: Surely the Premier doesn't consider a debate on one or two aspects of the report? Surely he considers it fundamental to political financing of any kind in Ontario.

Mr. Speaker: The question?

Mr. Lewis: Is the Premier saying—see how quickly I came to it?—is he saying that he will use the argument of applicability, appropriateness or enforceability—all the rationalizations that Mr. Camp and Mr. Fisher gave—as an excuse to prevent him from giving us an overall ceiling, since in fact it has worked in other jurisdictions effectively, the United Kingdom being the obvious one?

Hon. Mr. Davis: Mr. Speaker, there is some debate about that. I would only say to the hon. member that it may be that Messrs. Camp and Fisher are right. With great respect, while I know the hon. member has some views on the subject, I know also how his particular party functions as it relates to election finance, how they handle campaigns, and the way that they assist in their campaign structure without necessarily money being on the line by way of payment.

Mr. Lewis: It can all be calculated.

Hon. Mr. Davis: I fully appreciate how they have done this over the years and I

recognize that the member would like to see this particular system continued and promoted.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I would only say, Mr. Speaker, that you will not get me to be taking the report today, item by item. I just don't intend to do it.

Mr. Lewis: No, because he won't have a ceiling. He wants the money for the "big blue machine."

Mr. Speaker: The hon. Leader of the Opposition.

Mr. R. F. Nixon: Supplementary: Since the Premier puts it on a political basis, it appears that he is waffling on this. Would he not accept the fact that his waffling on this, following the lead of the chairman of the commission and Mr. Fisher, is simply an attempt to keep the monetary advantages that were so much on his side back in 1971 when, it is rumoured, he spent $5 million, including $50,000 from Fidinam? How can he possibly offer that as an alternative?

Hon. Mr. Davis: Mr. Speaker, I would only say to the Leader of the Opposition that his observation or guess as to how much the Conservative Party spent in 1971 is just about as accurate as any other assessment of an economic nature he has made since I have been in the House. Like so many, it is totally wrong.

Mr. T. P. Reid (Rainy River): Make it public.

Mr. Lewis: Tell us. Disclose it.

Mr. J. F. Foulds (Port Arthur): Disclose it so we don't have to guess.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I would say to the hon. member it is fine for him to talk about election finance reforms, when I didn't hear a word being said by his colleagues prior to July 8 as it related to the federal Liberal Party, the amounts of money they were spending, the law under which they were operating, and the fact that they probably outspent the Tories two to one during the federal election campaign. I didn't hear a word from them as to whether that was proper or not.

Interjections by hon. members.

Mr. Speaker: Order, please. The member for Scarborough West. As this is developing into a debate, this will be the last supplementary.

Mr. R. F. Nixon: There is a federal limit.

Mr. Lewis: Supplementary: If the Premier feels that the Camp commission—

Hon. Mr. Davis: These people are trying to collect money—

Mr. R. F. Nixon: No, it is Broadbent who is worried about that.

Interjections by hon. members.

Mr. Speaker: Order, please. The member for Scarborough West has the floor.

Mr. Deans: Do you know you threw a man out last week for less than that?

Mr. Lewis: Mr. Speaker, it's we who are collecting money using the federal Act—you know that.

Hon. Mr. Davis: There is nothing innocent about that.

Mr. Lewis: No, they are innocent virgins; we are collecting the money.

Mr. R. F. Nixon: I don't agree with that assessment.

Mr. Lewis: That's the most risqué the Premier has been in the 11 years I have been here.

Since the Premier feels so strongly about the integrity of the Camp commission proposals and about the apparent need for disclosure, we challenge him now to make the Tory expenditures in 1971 public as a basis of setting the limitations for 1975.

Mr. Speaker: Do you have any further questions?

Hon. Mr. Davis: Mr. Speaker, I am delighted to hear the suggestion being made. I would only say to the leader of the New Democratic Party that since the figure used by the Leader of the Opposition, as I read it, I think, in this morning's press, was a $5 million figure, and I have read press reports over the years, I can only say that like so many of the Leader of the Opposition's observations on mathematical things—and we've had so many of them here in this House—it is substantially wrong.

Mr. R. F. Nixon: What's the right figure?

Mr. Speaker: Any further questions?

Interjections by hon. members.

Mr. Lewis: It began as a very innocent question.

Mr. Speaker: Order, please. The member for Scarborough West.

MARKUPS IN FOOD PRICES

Mr. Lewis: May I ask the Minister of Agriculture and Food—and I may have missed it when I was away in one question period—did he table the Ontario Food Council's monitoring of price differentials from farm gate to checkout counter, which he indicated he had available and would table?

Hon. W. A. Stewart (Minister of Agriculture and Food): No, Mr. Speaker, I haven't. I would correct my friend. What I offered to table was the difference in the markup between the price the wholesalers sell at to the chain stores and what they sell at—that's the markup that the chain stores are using in the price of a side of beef. That is what I offered to table and I haven't got the up-to-date figures on them as yet.

FUNDING OF OHAP

Mr. Lewis: May I ask the Minister of Housing if I am right, in looking at Ontario finances for Oct. 31, 1974, that the allocation projected for OHAP has been reduced from $15 million to $8 million? Is that correct?

Hon. Mr. Irvine: No, Mr. Speaker, that is not correct.

Mr. Lewis: Why does it show that way in the figures?

Hon. Mr. Irvine: Mr. Speaker, we've had supplementary—well, not supplementary estimates—we have added funds to what is shown in the report. This was brought out in my estimates, by the way. We have now a considerably larger amount. I can't give him the exact amount today but I will provide it for the leader of the NDP.

Interjections by hon. members.

Mr. Speaker: Order, please. The member for Grey-Bruce has a supplementary.

Mr. E. Sargent (Grey-Bruce): Under the OHAP programme, is the minister still doing business with the developers in—

Interjections by hon. members.

Mr. Speaker: Order please. That doesn't appear to be supplementary. The original question had to do with the reduction in spending from $15 million to $8 million.

Mr. Sargent: I'm talking about the OHAP programme.

Mr. Speaker: Yes, but that was not the question. It was a reduction in spending.

Interjections by hon. members.

Mr. Speaker: He may place a new question in turn, I would point out to the member for Grey-Bruce.

Mr. Sargent: Mr. Speaker, I am talking about the OHAP programme.

Mr. Speaker: That is not the subject of the question. You may place your question in a moment.

The hon. member for Ottawa Centre.

Mr. Cassidy: Supplementary, Mr. Speaker: Whatever the minister may have in mind over the coming five months, are the Treasurer's figures not correct in reflecting that the spending under the housing action programme has been only about half what was projected during the first seven months of this fiscal year?

Hon. Mr. Irvine: Mr. Speaker, the member for Ottawa Centre—

An hon. member: And the Islands.

Hon. Mr. Irvine: —was involved in a considerable discussion in this particular matter in the estimates. At that time, we clearly indicated to the member and to those present that OHAP is a successful programme and that it has been supplemented with additional funds out of the $100 million which was announced by myself as extra funding for housing throughout Ontario and throughout our different policies and programmes. The actual amount, as I said before, I'll give to the leader of the NDP.

Mr. Speaker: Any further questions?

HIGHWAY 17 BILINGUAL ROAD SIGNS

Mr. Lewis: I want to ask a question of the Provincial Secretary for Resources Development. Can the minister gather his secretariat together to see how they might respond to the problem of the communities that lie on Highway 17, around which the Highway 417 bypass now travels, particularly to provide for them bilingual road signs on 417 as bi-

lingual indications of services that would be available on 17, and perhaps some specific economic supports because of the collapse of the small businesses, restaurants and other commercial undertakings in those communities necessary with the change in bypass?

Hon. A. Grossman (Provincial Secretary for Resources Development): Mr. Speaker, I would be glad to look into that matter.

Mr. Lewis: Thank you, Mr. Speaker.

Mr. Speaker: Any further questions?

Mr. Lewis: No, thank you.

Mr. Speaker: The member for Grey-Bruce with his question.

SALTFLEET DEVELOPMENT

Mr. Sargent: Thank you, Mr. Speaker. I have a question of the Minister of Housing. In view of the fact that on page 5193, Nov. 13, 1974, of Hansard, he agreed that the appraised value of the Saltfleet development was $3 million, as outlined by the appraisers here, will the minister please produce the notation appended to the Saltfleet file by a Mr. Murchison, director of land acquisition HOME programme? At that time, Jon-Enco was paid $6 million by this agreement here, of which we have the original copy. Would the minister please then produce to me the notation attached to this Saltfleet file, as he said he would?

Hon. Mr. Irvine: Mr. Speaker, the member is trying to put words in my mouth which I don't really accept.

Mr. Roy: He doesn't have to. Read Hansard.

Hon. Mr. Irvine: What I said was that I would table all of the relevant information, which I did. If he will read what I tabled he should be able to understand exactly what did transpire. He should be able to. I'm not tabling anything further than what I have already. It's exactly as it was and exactly as it is going to be.

Mr. Speaker: Supplementary.

Mr. Sargent: Supplementary, Mr. Speaker: In view of the fact that $3 million was paid more than the appraisal people said should be paid, why won't he produce the file? We have the original document here, and we know what is on the appended letter, but he won't produce the file. Why won't he?

Hon. Mr. Irvine: Mr. Speaker, I don't think it will make a bit of difference to the hon. member what I produce.

Mr. Sargent: Well, I don't care. I want to see the file.

Hon. Mr. Irvine: I produced all the information necessary for the members of this House. The members of the House, in general, understand what I tabled.

Mr. Singer: Oh no, he hasn't.

Mrs. M. Campbell (St. George): Oh, no.

Hon. Mr. Irvine: If the member doesn't understand it's not my fault.

Mr. Speaker: Any further questions?

Mr. Sargent: Supplementary.

Mr. Speaker: This is the final supplementary.

Mr. Sargent: The minister is misleading the House, Mr. Speaker.

Mr. Speaker: Order, please.

Mr. Sargent: He agreed, in Hansard, with exactly what I have said here. And he is now denying he said that.

Mr. Speaker: The member is debating this question and he is out of order. Any question from the New Democratic Party?

Mr. Sargent: The minister is out of order too.

Mr. Speaker: The member for Windsor West.

GOVERNMENT PURCHASE OF CALIFORNIA GRAPES

Mr. E. J. Bounsall (Windsor West): A question of the Minister of Government Services, Mr. Speaker: Even if the government continues to refuse to stop purchasing California grapes for government food outlets, and by so doing is supporting the United States Teamsters' Union in the dispute—

Interjections by hon. members.

Mr. Bounsall: —will he at least ensure that the chef in the members' dining room does not continue to misinform diners, as he did today, that the unmistakably California-grown red Emperor grapes were, first, grown in Spain and then, when challenged, grown in Ontario?

Mr. Lewis: If they were grown in Ontario, that would be quite a feat.

Hon. Mr. Handleman: They were grown in the Northwest Territories.

Hon. Mr. Snow: Mr. Speaker, I am not familiar with the particular bunch of grapes that the hon. member is referring to.

Interjections by hon. members.

Hon. Mr. Snow: In fact, I am not very familiar with grapes, period.

Mr. J. E. Stokes (Thunder Bay): Not in that form.

Hon. Mr. Snow: But I would like to say, Mr. Speaker, that the responsibility for the purchase of the grapes is not with my ministry.

Mr. Speaker: The member for Ottawa East.

OHC LAND PURCHASES IN OTTAWA AREA

Mr. Roy: Mr. Speaker, I'd like to ask a question of the Minister of Housing.

Would the minister give the House the information pertaining to a number of transactions by Ontario Housing in the Ottawa area, more specifically a purchase of 1.3 acres on Donald St. by Thomas Assaly Corp. Ltd., purchased in July for $105,000 and then sold in March, eight months later, for $273,000 to Ontario Housing? Would the minister advise why a similar 1.3 acres in Vanier, called the Green Valley Lumber on Montreal Rd., was then purchased for half a million dollars, which is approximately twice the price the city of Vanier is paying for land in that area?

Mr. Breithaupt: Here we go again.

Hon. Mr. Irvine: Mr. Speaker, the hon. member being, I hope, somewhat knowledgeable about the escalation of prices in the Ottawa area—

Interjection by an hon. member.

Mr. Speaker: Order please, order.

Hon. Mr. Irvine: —should realize that, as we said before, one has to pay market value at the time of the transaction.

Mr. Cassidy: Especially when it's a Tory developer.

Hon. Mr. Irvine: Surely as a solicitor who has been, I think, well informed in the matter of what market value is, the member can understand that from today till next year there is going to be a difference in the price; or today till next month.

Mr. Breithaupt: It's double.

Mr. H. Worton (Wellington South): It's 100 per cent.

Hon. Mr. Irvine: It's the same method we have been discussing in the last few days. There is nothing different. I am not going to go into each transaction OHC has made in the last 10 years.

Mr. Singer: Oh, no!

Mr. Breithaupt: Oh, yes, one at a time.

Interjections by hon. members.

Hon. Mr. Irvine: If the member thinks that he is going to go into individual transactions, he is wasting a lot of time in the House.

Mr. Singer: Oh!

Mr. Breithaupt: That is why we are here.

Mr. E. R. Good (Waterloo North): The minister doesn't want to tell us the facts.

Hon. Mr. Irvine: What I am saying to him is that the prices paid—

Mr. Lewis: The minister will rue those words; he will chew those words; he will swallow those words.

Hon. Mr. Irvine: —are prices which were relevant at that time. And if the member can't understand the difference between market value and what he thinks was the price, it's too bad.

An hon. member: The biggest pork barrel—

Mr. R. F. Ruston (Essex-Kent): The minister is spending public funds.

Mr. Cassidy: The minister can't understand what speculation is all about.

Mr. Roy: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Roy: Mr. Speaker, the minister replied that he was paying what he called market value. Could he explain, first of all, the difference between that answer today and what he was talking about last week, about land residual value? Secondly, why wouldn't he table this information? Don't the members of

the Legislature have a right to know what the acceptance price that he gave to the vendor was based on?

An hon. member: Not any more.

Mr. Breithaupt: He is spending public money.

An hon. member: Right you are.

Hon. Mr. Irvine: Mr. Speaker, there is nothing whatsoever to hide in the transaction.

Mr. Roy: Produce it then.

Mr. Singer: Produce it.

Mr. Speaker: Order please.

Hon. Mr. Irvine: Let's try to understand the basic principle of what goes on today—

Mr. Good: For crying out loud.

Hon. Mr. Irvine: —what went on before and what is going on in the future. If the member wants to have every transaction discussed in this House—

Mr. Good: You find out that speculators are doing very well.

Hon. Mr. Irvine: —I think he is really not a very good member for his area, because if he does that he is wasting an awful lot of time. We are talking about the difference between the price of land three months before, six months before, and what it was bought for; that's the principle we are talking about. We have to have OHC paying prices which are acceptable at that time to the owner.

Mr. Roy: Let the minister table the information.

Hon. Mr. Irvine: On those two specific cases, I have no knowledge as to what they are. I'll table that, but I am telling the member now, I am not going to go into individual details of every transaction of OHC.

Hon. Mr. Handleman: There are thousands of them.

Hon. Mr. Irvine: Because it's ridiculous to think I should be.

Mr. Breithaupt: He might; he might.

Mr. Roy: We will see about that.

Mr. Speaker: The member for High Park.

Mr. Singer: Mr. Speaker, on a point of order.

Mr. Speaker: What is the point of order?

Mr. Singer: Could I now thank the minister for sending to me the material that he tabled 25 hours ago?

An hon. member: No ribbon, though. No ribbon.

Mr. Speaker: The member for High Park.

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: No, the member for High Park.

Interjections by hon. members.

Mr. Speaker: Order please. I have said the last supplementary was the final one. The member for High Park.

Mr. Cassidy: I am sorry. This party had no supplementaries on that question, Mr. Speaker.

Mr. Speaker: We'll allow you one.

Mr. Cassidy: Thank you very much. In view of the political connections of Mr. Assaly in particular, will the minister table the appraisals that were made on the two sites in question in Ottawa prior to the purchase by OHC?

Hon. Mr. Irvine: Mr. Speaker, I have no knowledge of who Mr. Assaly is, or anyone else involved in those transactions.

Mr. Cassidy: He is a good Tory, and the minister knows it.

Hon. Mr. Irvine: I would expect there are some darn good Tories and the members opposite are going to find out when they run the next time.

Interjections by hon. members.

Hon. Mr. Irvine: What I will do, Mr. Speaker—

Mr. Cassidy: Like the ones who supported Pierre Benoit?

Hon. Mr. Irvine: —is what I said before, I will table the relevant information to the transaction—

Mr. Sargent: What does the minister call relevant?

Hon. Mr. Irvine: If that does not satisfy the hon. member that is too bad, but I will table all the relevant information.

Mr. Speaker: The member for High Park.

TRAFFIC TICKETS

Mr. M. Shulman (High Park): A question of the Minister of Government Services, Mr. Speaker. After due reflection is the minister now prepared to supply the House with a list of the people his department has fixed tickets for this year?

Hon. Mr. Snow: I'm sorry, Mr. Speaker, due to the hon. member talking beside me, I didn't hear the question.

Mr. Shulman: I asked if the minister had time to decide whether he is willing to supply us with a list of the persons for whom his department of protocol has fixed tickets this year?

Hon. Mr. Snow: No, Mr. Speaker, I am not prepared to supply any list of names of people for whom the director of protocol has, so-called, fixed tickets. Mr. Speaker, under the—

Mr. Foulds: The fixed tickets regulations?

Interjections by hon. members.

An hon. member: Ticket regulation Act?

Mr. Cassidy: Under "F" not "T."

Hon. Mr. Snow: Mr. Speaker, under section 43 of the Vienna convention—

Interjections by hon. members.

Mr. Cassidy: I thought the minister only had meetings up in Muskoka.

Mr. Speaker: Order, please. I am sure we all want to hear the rest of this answer.

Interjections by hon. members.

Mr. Lewis: The minister just has to be kidding, come on!

Mr. Deans: Don't do this!

Hon. Mr. Davis: The member wants to observe the Geneva convention, doesn't he?

Mr. Deans: The convention of the Tory party.

An hon. member: And we have no time for television!

Mr. Speaker: Order, please.

Interjections by hon. members.

Hon. Mr. Snow: Mr. Speaker, obviously the hon. members aren't interested in my answer—

An hon. member: Oh, we are!

Hon. Mr. Snow: —but as I stated, under section 43 of the Vienna convention of the consular corps around the world, certain—

Mr. Lewis: It was decided they would fix each other's tickets.

Hon. Mr. Snow: —certain immunities are, I understand, granted to consular representatives from other countries. In the case here, the consulates—

Mr. Singer: When did Ontario sign that convention?

An hon. member: It's done federally.

Hon. Mr. Snow: —the consulates come under the jurisdiction of the Minister of—

Mr. Stokes: That was the Old Vienna convention.

Hon. Mr. Snow: —External Affairs of the federal—

Mr. Singer: That was Emperor Frederick the first?

Mr. Speaker: Order, please.

Hon. Mr. Snow: Obviously the members don't want to know the answer.

Mr. Shulman: I want to know the answer.

Interjections by hon. members.

Hon. Mr. Snow: It is their question period they are using up. I know the hon. member has been dying to ask this question for weeks now.

Mr. Deans: We have been dying to hear the answer.

Mr. R. F. Nixon: The minister is obviously ready with the answer.

Interjections by hon. members.

Hon. Mr. Snow: But in any case—

Mr. Sargent: Haven't we heard this speech?

Mr. Speaker: Order, please. We're wasting time.

Hon. Mr. Snow: —the jurisdiction of this matter comes under the Minister of External Affairs in Ottawa.

Mr. Roy: This government doesn't have one of those?

Hon. Mr. Snow: It has been customary for members of the consular corps who receive tickets for minor violations such as parking

offences, provided they are for cars with the CCA licence number, which is the licence number allotted to the—

An hon. member: Federal Liberal ministers fix tickets.

Mr. Lewis: Come on.

Hon. Mr. Snow: —consular corps, that these members of the consular corps forward such summonses as they might receive to the director of protocol in my ministry. If it is a minor offence such as a parking ticket, these summonses are forwarded to the appropriate officer in the city of Toronto police, if it happens to be in Toronto, and the section of the Vienna convention is quoted and don't ask me how, but the matter is looked after.

Mr. Deans: Sounds like making contributions to the party, "Don't ask me how."

Hon. Mr. Snow: If the summons is for a moving infraction, then the summons is forwarded to the Minister of External Affairs in Ottawa and it is dealt with at that level.

Mr. Reid: Then they ask the minister what happened.

Hon. Mr. Snow: Mr. Speaker, the information I have, is that there were some 55 parking violation notices dealt with in 1973 and 1974 to date, and some 20 other summonses, I believe, were forwarded to External Affairs in Ottawa for their use. Mr Speaker, I am not prepared to divulge the list of names of the consular corps representatives who incurred these parking tickets. I am advised by the office of the Minister for External Affairs in Ottawa that this would not be appropriate to do. And on that advice—

Interjections by hon. members.

Hon. Mr. Snow: —I feel that I should not reveal the list of names. I can't say this from my own knowledge, but I understand such a list was requested from the minister in the House of Commons in Ottawa, and that this was not forthcoming.

Mr. Breithaupt: That sounds like collusion.

Mr. Shulman: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary, yes.

Mr. Shulman: I'll work in a dual supplementary: Inasmuch as there's nothing in the Vienna convention about secrecy, merely courtesy, can the minister explain why he has added a new article of protocol to the Vienna convention referring to secrecy? Secondly, inasmuch as there are at least two tickets that I am aware of that were fixed by his ministry that were not members of a consular staff nor for a consular car, will he reconsider supplying this list?

Hon. Mr. Snow: No, Mr. Speaker. I don't know anything about anything in the Vienna convention—

Mr. Foulds: The minister doesn't know anything about anything.

Interjections by hon. members.

Hon. Mr. Snow: —relating to any secrecy. But this is a matter under the jurisdiction of the federal Minister of External Affairs.

Mr. Deans: The minister fixed the tickets.

Hon. Mr. Snow: It is on his advice that it would not be appropriate to table such a list of names. I am taking that advice.

For the second part of the hon. member's question, I am assured by my staff that no ticket has been fixed for anyone who is not a member of the consular corps. All I can give the member is that assurance.

Mr. Shulman: If I give the minister the name of one, will he supply the list?

Mr. Speaker: Order, please. The hon. member for Kent.

Mr. Shulman: Just a minute. If I give the minister the name of one, will he supply the list?

Mr. Speaker: The hon. member for Kent has the floor.

Hon. Mr. Snow: If the hon. member has a name and wants to give it to me, I would be glad to investigate it. But so far he is making—

Mr. Shulman: Well, will he supply the list entirely?

Mr. Turner: Write to Ottawa.

MERCURY POLLUTION

Mr. J. P. Spence (Kent): I have a question of the Minister of Industry and Tourism. Is the minister aware that the Lake Erie commercial fish harvest has dwindled to five boxes per day, compared to the year 1973 in which the harvest had reached 500 to 600 boxes a day? In view of this drastic decrease in the fish harvest, would the minister consider allowing the commercial fishermen in Lake

Erie and Erieau to postpone their principal and interest payments on their ODC loans, which they were forced to apply for when fishing in Lake Erie was banned by mercury contamination?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, directly related to the question of Lake Erie and the fishermen, first of all let me clear up one point. No one was forced to make application for an ODC loan. It was of their own accord. If they wished to secure financing by the development corporation, we extended it to them. We have, over the last number of years, been able to sit down with those fishermen and discuss with them their payment programme and their plans. We are prepared, even at this date, to review it further if there are some economic disadvantages to them at this point.

Mr. Singer: I have a question.

Mr. Speaker: The hon. member for Port Arthur.

POLARIS STEEL

Mr. Foulds: Mr. Speaker, a question of the Minister of Consumer and Commercial Relations: Is it not usual practice for his ministry to send a letter of warning and subsequently cancel the incorporation of companies that have not filed an annual return for at least three years? Why has he not done so in the case of Polaris Steel, which has not filed a return since 1968?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, under the Act, I believe we send out notices, usually by ordinary mail, referring to the default. If that does not elicit a response, then in due course a registered letter is sent out to the directors, as of record, and to the company itself.

Insofar as the particular company that the member refers to is concerned, I don't know specifically why notices were not sent out. It may well have ended up in receivership or bankruptcy. It may be inadvertence on the part of my staff, I don't know. If the member will give me the name of it again, I'll inquire, and before the House rises tonight I will tell him what the situation is. I didn't catch the name.

Mr. Foulds: The name is Polaris Steel.

Supplementary, Mr. Speaker: Is the minister further aware, while he is making his investigations, that this firm and at least one of its principals, John H. McCormick of Burlington, have subsequently received a number of government contracts on which debts are still outstanding? Is it within his purview to investigate that?

Hon. Mr. Clement: No, sir, my responsibility is under the Corporations Information Act which says that a company shall, within 30 days of its anniversary of incorporation, file an annual return in the form prescribed by the ministry. That return indicates who the corporate officers are, the head office of the place of business, the share structure and so on. No financial information is required insofar as our return is concerned.

Mr. Speaker: The member for Waterloo North.

HERITAGE LEGISLATION

Mr. Good: Mr. Speaker, I have a question of the Minister of Colleges and Universities. Is there any truth in the rumour that the minister's heritage legislation is being revamped and may not be introduced this session?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, I must say rumours start very quickly. It will not be introduced for a few days, perhaps a little longer. There are some adjustments that we have to make to it.

Mr. Roy: A supplementary, Mr. Speaker: Is the minister undertaking to introduce it in this session because the former member for Carleton East is very much interested in that?

Hon. Mr. Auld: I am aware of that, Mr. Speaker.

Mr. Cassidy: A supplementary, Mr. Speaker: Is it the minister's intention to have a substantial increase in the resources development heritage foundation when the legislation is introduced?

Hon. Mr. Auld: I am sorry, would the hon. member repeat the question?

Mr. Cassidy: Does the minister intend to provide a lot more money for heritage acquisitions in the province if the bill is passed?

Hon. Mr. Auld: Of course, that will depend on what transpires in the budget for next

year. I think the amount in the current budget is a round sum of $1 million.

Mr. Speaker: Any question from the New Democratic Party? If not, the member for Carleton East.

OHC LAND PURCHASES IN OTTAWA AREA

Mr. P. Taylor (Carleton East): Mr. Speaker, I think we need some answers from the minister responsible for housing with respect to transactions.

Mr. Speaker: Are you asking a question?

Mr. P. Taylor: I refer to the earlier mention of the transaction regarding property on Donald St. This property was purchased in July, 1972, by the Thomas Assaly Corp. for $105,000 and was sold to the Ontario Housing Corp. eight months later for $273,600. That, by my calculation, is an increase of something like 155 per cent.

Mr. Speaker: Order, please. Place your question.

Mr. P. Taylor: My question is, in a year when housing costs in Ottawa rose by an average of 21 per cent, how can the minister answer for this kind of increase in the Ottawa area?

Mr. R. F. Nixon: A good question.

Hon. Mr. Irvine: Mr. Speaker, probably the real question is whether the hon. member has been listening or not since he has been here.

Hon. Mr. Handleman: Why should he start now? Why start now? He never listened before.

Mr. R. F. Nixon: That is a nice start. That is a great start.

Mr. Roy: That is a good answer.

Mr. Speaker: Order, please. The time is about up.

Mr. Lewis: For the opposition the minister is the best Minister of Housing we have had. I want him to know that.

Hon. Mr. Irvine: The member for Carleton East is only going to be here for a short time so why doesn't he listen to what I have been saying?

Mr. R. F. Nixon: The minister is the overnight guest. Does he want to try for another by-election? A royal commission will do him in.

Hon. Mr. Irvine: He has just repeated what his colleague was talking about.

An hon. member: Little Sir Echo.

Hon. Mr. Irvine: If he doesn't listen to me why doesn't he listen to his colleague? It was the same question.

Mr. R. F. Nixon: Why doesn't the minister answer that question if he can?

Hon. Mr. Irvine: I will get the answer for him.

Mr. Speaker: The oral question period has expired.

Mr. Lewis: If the Premier wants to move him, the minister should fight for his job. He should hold on to his housing portfolio and not let it go.

Hon. Mr. Irvine: Let the member fight for his own job.

Mr. Speaker: The oral question period has expired. The member for Welland South.

Mr. R. Haggerty (Welland South): I would like to introduce to the Legislature the ladies representing the Bowen Rd. Women's Institute of Fort Erie, Ont., with their president, Mrs. Bev Jewson.

I also want to inform the hon. members that it is a rather special day for one of the members of the institute, Mrs. Betty Elsworth, whose son Robert Elsworth is now serving as a page boy in this assembly.

Mr. Speaker: Petitions.

Presenting reports.

Motions.

Hon. Mr. MacBeth moves that the annual report and financial statement of the Workmen's Compensation Board for the year ending Dec. 31, 1973, be referred to the standing resources development committee.

Motion agreed to.

Mr. Speaker: Order please. There's a great deal of noise in the wings. Will you please control it?

Introduction of bills.

Hon. Mr. MacBeth: Mr. Speaker, before we come to the orders of the day, I would like to table answers to two questions, 7 and 24, on the order paper (see appendix, page 5765).

Mr. Speaker: Orders of the day.

Clerk of the House: The fifth order, House in committee of the whole.

House in committee on Bill 139, An Act to amend the Judicature Act.

JUDICATURE ACT

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Chairman, I want to give some indication that I have a couple of amendments to section 3. Perhaps when we get to that section it would be time enough for me to introduce the amendments and also some of the reasons for them. I have no comments with respect to section 1 or section 2.

Mr. Chairman: Does any member wish to speak on section 1? Does section 2 carry?

Sections 1 and 2 agreed to.

On section 3:

Hon. Mr. Welch: Perhaps it would be in order for me to proceed; I have two amendments.

Mr. V. M. Singer (Downsview): Do you have copies?

Hon. Mr. Welch: Hopefully.

Mr. Singer: You can send them around tomorrow.

Hon. Mr. Welch: No, I have copies now.

Mr. Singer: Oh thank you.

Hon. Mr. Welch: The page boys are in the process of delivering them.

Hon. Mr. Welch moves that subsection (2) of section 68a as contained in section 3 of the bill be amended by striking out "or make or attempt to make a graphic portrait or sketch" in the third and fourth lines of clause (a); and by striking out "record, portrait or sketch," in the second and third lines of clause (b); and inserting in lieu thereof, "or record;" and further that subsection (3) of the said section 68a be amended by striking out "record, portrait or sketch" in the second line and inserting in lieu thereof, "or record."

Mr. J. A. Renwick (Riverdale): God bless you.

Mr. M. Cassidy (Ottawa Centre): On a point of order, Mr. Chairman. I would like to ask the minister what consultation he has had with representatives of the various news media, particularly representatives of the electronic media about this particular bill? And what happened to the minister's assurance that he would give time in order to consult with the various media before the bill came back for committee stage in the Legislature?

Hon. Mr. Welch: Mr. Chairman, I think in all fairness, the hon. member knows I gave no such undertaking at all. I'm quite satisfied, on the basis of some conversations I've had. On arriving in the House today, I received a letter from the president of the gallery. And the hon. member himself has spoken to me. I resent any implication from anyone that I'm pushing this bill.

I said after second reading on Thursday that I wanted to reread the debate. I found the afternoon a very interesting one with respect to the debate. I was impressed on the basis of the debate, and I'm now making some change. I'm making two changes. The only two points I felt were being made were with respect to the question of sketching—and I've made my amendment on that point; and the other one was the difficulty in coming to some understanding as to what environs meant, and I want to introduce an amendment with respect to that.

I've indicated to anyone who has talked to me, including the president of the gallery, that I would like to talk about section 3 in the longer run, that is in the longer term implications of section 3 as it would be amended; but at this stage I was quite satisfied that what we were doing in this section was restoring the practice as it is understood at present. If there was to be some discussion with respect to the long-term implications of section 3, we would have the opportunity to do that perhaps over the next period of time.

I don't like any suggestion, and I'm sure the hon. member didn't intend to suggest, that I was attempting to push anything. I would like at least to have some indication from him that as a result of the debate on Thursday I am prepared to make these two amendments. In fact I was impressed by the debate.

The longer-term implications with respect to what we will allow in the courtroom as a change in the custom, I think will require more time. The urgency with respect to the bill relates to section 1, which deals with the expansion of the Court of Appeal.

Mr. Cassidy: Mr. Chairman, on a point of order—

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I wonder if the minister would be good enough to place his second amendment now, because I think the discussion on those two points probably could be handled more expeditiously in that way.

Mr. Cassidy: I would appreciate that too.

Hon. Mr. Welch: Except that was on a point of order.

Mr. Cassidy: If you have a second amendment.

Hon. Mr. Welch: If I could make my second amendment, perhaps the committee would allow me an opportunity to summarize what has really prompted me to bring in these two amendments, and then perhaps we could have an exchange with respect to them both. Would that be in order, Mr. Chairman?

Mr. Chairman: Agreed.

Hon. Mr. Welch moves that section 68a (2) (a) (iii), as contained in section 3 of the bill, be amended by striking out "environs of the room or" in the first line, and inserting in lieu thereof "precincts of the."

Hon. Mr. Welch: Mr. Chairman, I would draw some attention to the fact the reference to "environs of the room or building" is changed to "precincts of the building" for greater certainty, which was the point and the concern that was being expressed on Thursday afternoon last.

Both the Oxford and Webster dictionaries define "precincts" as the space enclosed by the walls or other boundaries of a particular place or building. This view was accepted by the English Court of Appeal in 1959 in the reported case of Walsh and Allweather, 1959-II, All England Law Reports, starting on page 588. So it seems to have some judicial understanding, which I think the member for Downsview was anxious that we clarify. Therefore, I would introduce both these amendments in response to the concerns that were expressed during the debate on second reading of this bill last Thursday.

I would like to simply remind the committee, if I might, that the twofold purpose of the amendment to the Judicature Act, particularly as it is reflected in section 3, was in the first place to preserve the physical dignity of the court process and secondly to preserve the personal dignity of the participants in a context that ensures an open trial process consistent with the public administration of justice.

I was very anxious in the debate as Hansard will show, that we emphasize the distinction between satisfying public curiosity in seeing justice done and maintaining the essential elements of a system which sees that justice is done. Over the years, the press has been the traditional and effective safeguard of the open and public nature of our system of justice. To insinuate into this process the visual and electronic media really is to go to this question as to how much further publicity is to be given against the general background of those two particular purposes.

I want to really emphasize—and I hope I've captured the feeling of the members of the House who took part in the debate on Thursday afternoon—that we have to appreciate the threefold nature of the limitations to which we are making reference: 1. There is no photographing in the courtroom. 2. There is no photographing of persons entering or leaving the proceeding in the courthouse. 3. There is no photographing of persons in the precincts of the courthouse who are on their way to or from the judicial proceedings.

Now it's really in the delimitation of No. 3 —and I can understand this—that some of the concern has arisen and that is why I have changed the word "environs" to "precincts." In order to run foul of prohibition No. 3, the photograph in the first place has to be taken of a person whom the photographer has reasonable grounds to believe is on his way to or from the proceeding. I suggest to you, although you may differ with me, that inadvertence would be a defence in that particular case; but secondly, the person so photographed must be within the precincts of the courthouse.

In other words, as far as subsection a(iii) is concerned, both elements must be present to be caught by the section. If the cameraman takes a general shot of the courthouse steps as part of a recorded TV interview, describing the proceedings, and inadvertently captures in the background persons going to and coming from judicial and other proceedings—that is the sheriff's office or the registry office —he would not fall, in my opinion, within this particular section.

Likewise, if the photograph is taken of the participant away from the precincts of the courthouse, it's not a prohibited act. What is attempted to be achieved by employing the "precincts" of the courthouse is really to be far more clear with respect to the definition as defined in those dictionaries to which I made reference and which appears to be accepted by the judicial process in that recorded judgement.

So I simply want to repeat, in response to the point of order raised by the member for Ottawa Centre, that I was attempting to illustrate by not proceeding until today that the debate on Thursday afternoon had some influence. I have indicated to the president of the gallery and to the representative of one TV corporation that I would be quite pleased, now that this is amended and the practice is now pretty well as it was, perhaps in the longer term to discuss some of the wider implications of the present practice.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Mr. Chairman, I am pleased the minister has seen fit to bring in these amendments, which substantially satisfy the objections that my colleagues and I have put forward. The question, however, remains as to the necessity for section 3 at all. It seems to me that these matters were adequately handled by the presiding provincial, county and supreme court judges in their courts.

Hon. Mr. Welch: May I speak to that point now?

Mr. Singer: Yes.

Hon. Mr. Welch: I am sorry, I should have really covered that point, because that was a reasonable point raised at the time as well.

You recall I traced some of the history behind this relating to a former request from one of the corporations to come into a court to actually take pictures of an adoption proceeding. The judge declined the request. The corporation appealed to the Ministry of the Attorney General asking on what authority the judge did this. I must share with you some opinion that the judge did not have the authority. On the basis of consultation with the judges, they felt that rather than this being a matter left up in the air, we should, to the best of our ability, regularize the present practice, which section 3 attempts to do.

I also did draw attention to the fact that this seems to have been the practice in the criminal justice area in England since 1925, and that section 3 as now amended pretty well reflects the wording of that section, which has been generally accepted practice.

Mr. Singer: When we were debating this earlier on second reading the minister did talk about the incident where a television network or station had asked the minister for permission. I think he added a piece today that they had asked the judge and been refused; I don't think I heard of that phase before. I wouldn't envy the minister's position if he had given permission on the basis of refusal of a judge.

Mrs. M. Campbell (St. George): Here's that autonomy again.

Mr. Singer: I can well imagine the judge asking the minister to come before him and the minister wondering why he was in contempt, because with all great respect to the minister's mighty powers, I don't think he can tell any judge or would tell any judge what he should do in his courtroom.

Mrs. Campbell: Don't be too surprised.

Mr. Singer: I would think that the judge can determine, with respect to his courtroom, whether or not he is going to allow a television camera in or not; and any of the judges I know who are presently sitting wouldn't allow it.

Now the minister made reference to an English case and to the English criminal practice, but he hasn't made any reference to a comparable English statute.

Hon. Mr. Welch: Yes.

Mr. Singer: Have you? Well you weren't very clear on that. Could you tell me what the English statute says?

Hon. Mr. Welch: This is the Criminal Justice Act of 1925—and I make particular reference to section 41 of that Act.

Mr. Singer: Could the minister read it?

Hon. Mr. Welch: Yes.

> No person shall
>
> (a) take or attempt to take in any court any photograph or, with a view to publication, make or attempt to make in any court any portrait or sketch of any person being a judge of the court or a juror or a witness or a party to any proceeding before the court, whether civil or criminal; or
>
> (b) publish any photograph, portrait or sketch, taken or made in contravention of the foregoing provisions of this section or any reproduction thereof; and if any person acts in contravention of this section, he shall on summary conviction be liable in respect of each offence to a fine not exceeding £50.

And then, for the purpose of this section, they go on to define what the expression "court" means, the expression "judge," and:

> A photograph, portrait or sketch shall be deemed to be a photograph, portrait or sketch taken or made in court if it is taken

or made in the courtroom or in the building or in the precincts of the building in which the court is held.

This is the Criminal Justice Act, 1925, 15 and 16, George V, chapter 86; which of course has been the law of England since 1925.

Mr. Singer: That's very interesting. I wasn't aware of the section in the English statutes. I know I have seen in the English newspapers very good sketches of what has gone on in the court. It may all have been done by memory or it may be that the section, insofar as sketches go, has fallen into disuse.

The fact remains, Mr. Chairman, that I see no great necessity for the codification. If the minister feels this is a matter of urgent and vital principle, I don't think it is doing any harm in its present phraseology, particularly since the amendments are there. We will support it as amended even though we see no great necessity for having it at all.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: I am in a difficult position in getting up at this point, Mr. Chairman, because frankly I think the minister is acting in bad faith towards the media of the province in the way in which he is going ahead with the bill today, rather than giving more time in which they could make their opinions felt.

Today I have been in touch with a number of people from various news organizations and they have expressed varying degrees of concern—in certain cases very severe concern—about the bill. They would very much like to have the chance to sit down with the minister in order to talk about the code of conduct which he is bringing forward.

As the minister says, the amendments he is suggesting do vary the intent of the bill as it was originally put forward. Nevertheless they are done in a slap-dash, last-minute kind of fashion—the question of penalties is not dealt with; the question of the limbo in which microphones and radio reporters are left is not dealt with.

Hon. Mr. Welch: May I deal with that point about microphones now that you have raised it?

Mr. Cassidy: Yes.

Hon. Mr. Welch: You realize, of course, that there is nothing in this section that deals with the radio man and his microphone. I think that your legal colleagues will point out to you that that is really not covered by this Act at all, and you might well want to take it that that would be covered by the new Right to Privacy Act with respect to recording—in fact that goes to this whole question of the electronic devices used for recording. There is no prohibition by virtue of this statute with respect to that equipment to which you now make reference, but it may well be covered by another federal statute, and that federal statute would no doubt particularly exempt recording that goes on in courtrooms for purposes of the record.

I'm glad you raised that point. I think you will find that point is not specifically dealt with by this statute.

Mr. Cassidy: Mr. Chairman, that is a ridiculous way to handle this particular question. Given this Act alone, without the federal Right to Privacy Act, the fact that the Act chooses to speak out on sketching and on photography and on TV and motion pictures being taken in or around a courtroom, and is silent about the use of tape recorders; would suggest that therefore tape recorders are by omission permitted, except for that federal Act.

It seems to me, provincially, that we ought to be making our own rules about these things, if this is a code of conduct, rather than relying on a federal Act which was directed to another purpose and not to the tape recording of public proceedings: or proceedings that a few of us have thought were public proceedings.

As I say, I'm in a quandary, Mr. Chairman, because I have been consulting with my colleagues here about simply moving a motion to adjourn the debate on the committee stage of this bill for several days until the various news organizations can have an opportunity to sit down with the minister. I would hope that even now he would agree to that.

I know he has been in consultation over the lunch hour with some of these people who picked up the phone and have been in contact with the minister. It happens that although the bill was published on Nov. 14—or given first reading on Nov. 14—like any other group that is affected by legislation around here, newspaper publishers and editors and the other people who are concerned with this kind of media operation, are going about their own affairs. They have things that are pressing; they have to get news broadcasts together, they have to do the things that are done. The reason the journalists aren't here right now—as the minister well knows—is that for half an hour or an hour after every question period they have im-

mediate news to get out. That makes it very difficult for them to keep their work force in the gallery in order to cover this particular debate.

A group as well informed as the newspaper and media owners and operators and editors of the province are still at a real handicap, when something comes up that vitally affects their interests, because of time and the way in which this Legislature is used as a sausage machine. The minister has asked for time. He knows that I happen to be notifying the various media of what is happening. The reporters in the gallery send information off to their editors; some letters get through, despite the federal postal service and the fire at Terminal A.

People are concerned about it. The editor of the Hamilton Spectator is writing to the Provincial Secretary for Justice about the Judicature Act; a letter I presume the minister has not yet received.

The people at the CBC are drafting a reply. The people responsible for the news operation at the CBC in Ontario are drafting a reply to the minister, on the proposed amendments, which I presume the minister has not yet received. I don't know whether they began to draft that last Friday or whether they began to draft it a week and a half ago; but nevertheless they haven't been able to put their opinion in the minister's hands, nor to sit down with him.

The people at CFTO are very concerned and very upset. They have managed to get on the telephone to the minister. Maybe they can even get somebody down here to talk to him briefly as he is coming into this place. But they don't get a chance to sit down in a reasoned, calm and dispassionate kind of way; to sit down with the minister to work out the code of conduct, to work out whether what is now being proposed is reasonable or not; or if it is going to be done on a two-stage process, to get reasonable assurances about what the minister has in mind. None of that happens.

The editor of the Globe and Mail says—well he doesn't like to pick up the telephone to talk—

Mr. Chairman: I think the member is getting a bit repetitious.

Mr. Cassidy: No I am not, Mr. Chairman. This is all entirely relevant.

Mr. Chairman: You are not speaking to the amendments of this bill.

Mr. Cassidy: I am speaking to the amendments.

Mr. Chairman: No, you are not.

Mr. Cassidy: I am sorry, but I am.

Mr. Chairman: You are not on the amendment.

Mr. Cassidy: The editor of the Globe and Mail, in reference to these amendments to the Judicature Act, says that it is not his paper's custom to get in touch with ministers of the Crown by telephone or by letter; they speak on page 6 of the Globe and Mail. And so, therefore, they are considering whether or not to do that. I don't believe they have done that up until now.

Mr. Singer: I think the minister should wait until it is considered—it might take a month or two.

Mr. Cassidy: The people at the Toronto Star are concerned as well, about the rights of their news photographers and the general rights of the press in and around courtrooms, and they are still formulating a position.

And amid all of this, the minister insists on going ahead with the bill today because the Chairman of Management Board (Mr. Winkler) tells him if he doesn't do it today, he may not get to it until some future time and he may not get in.

Mr. Breithaupt: Aha! Now we know.

Mr. Cassidy: Or because he hasn't got the wit to split the bill; put through the business about extra judges, which he considers important—

Mr. Chairman: Order. The member is out of order.

Mr. Cassidy: —and leave this matter until it can be discussed in a reasonable kind of fashion, with reasonable people who run the media in the province. That is why I say the minister—

Mr. Chairman: Order. The member is out of order. He is speaking about the timing of the bill, and when it is coming in. I have called for his comments on two amendments the minister presented. If the member wants to discuss the amendments, he is perfectly in order. If he wants to discuss when the bill should come into the House or when it shouldn't come in, he is out of order.

Mr. Cassidy: All right. I'll ask the minister about some comments about this and then we'll get to talking about the possible amendments. I don't want to disrupt this place. I have some respect for the minister. As a

matter of fact, among Tories he is one of my favourites, and I don't have many.

Mr. E. M. Havrot (Timiskaming): All the member has been doing is disrupting.

Mr. Cassidy: I am really upset by the way the minister is pushing the press around with this.

Hon. Mr. Welch: Mr. Chairman, I wonder if I could be of some help. I am not insensitive to the concern of the hon. member. He has been very reasonable.

He came to me, following the debate on Thursday and said he wanted to draw attention to the reaction of some media people. He was kind enough to show me copies of the letter he had received. Let me just share this with the House. I have talked to the president of the Ontario legislative assembly press gallery and I have talked to the news director of CFTO. I was satisfied, following those discussions that I was going to satisfy their immediate concerns about sketching and the definition of precincts. They were quite satisfied on that basis that the immediacy for a meeting was not necessary, if that was my intention. If it had not been my intention, they wanted the opportunity to plead the case to which the hon. member makes some reference. They then said that perhaps some time later when there is time we could discuss some other implications of longer range with respect to section 3, and I have agreed to that.

I don't want to be misunderstood, Mr. Chairman. I certainly don't want the hon. member to feel under any circumstances that I am pushing the bill.

Mr. Cassidy: Well then stand it down for a week.

Hon. Mr. Welch: No. Under the circumstances, and I'll take the responsibility, I am quite satisfied that the immediate concern with respect to the people with whom I have talked and others is now looked after, because they are satisfied that the present practice is all that is being codified. As I said to the president of the Ontario press gallery who put a letter on my desk formally this afternoon and to whom I talked prior to coming into the House, we will sit down with the gallery to discuss some other aspects of this which are not as pressing now that the amendments that I have are introduced before the House.

The hon. member is entitled to make an issue of whatever he likes, that's what this House is all about. I certainly would at least like to feel that under the circumstances the minister has responded in a positive way to the concerns that were expressed during the debate on principle last Thursday, and in fact is bringing in the amendments which the opposition seems to feel will be reasonable and that the member would share in the fact that we are debating this together today.

I am not attempting to flout anything. I am attempting to bring in these amendments in response to the opinions expressed on Thursday, which seem to be reinforced by the thoughts of those whom the hon. member has contacted since the debate on Thursday.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Cassidy: If I can just say a further word; I had a note here, which I hope the president of the press gallery won't mind my reading into the record, in which he said:

> We were told Welch is going to go ahead with Bill 139 as of today. In a letter sent to him, the gallery formally requested a delay to allow us to study the bill and express our opinion on it. The gallery opposes the principle that the government regulates areas of our profession without the decency of a consultation.

Hon. Mr. Welch: That's what this letter says. I have since talked to the president, who is satisfied that their main concern was the fact that sketching was going to be prohibited. I reinforce what I said, that the immediate concerns have been looked after and they are satisfied, according to the president.

Mr. Chairman: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, I have a minor and rather technical point with respect to the legislation. Looking at the definition of judicial proceeding, it means a proceeding of a court of record. It is my understanding, although I haven't checked this carefully and I wish I had, that this Legislature, for instance, is precisely a court of record. If that is true, if that is the case, and I believe it is, then I think we are up against some rather minor difficulties—

Mr. Renwick: He has got you.

Mr. Lawlor: —with respect to what goes on just beyond the door.

Mr. Cassidy: I told you there was censorship.

Mr. Lawlor: I would have the minister check that and let me know. Would he let me know?

Hon. Mr. Welch: I would be glad to look into that.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: Mr. Chairman, I sympathize with the point that my friend, the member for Ottawa Centre, makes. Of course if he wished to call for adjournment of the debate and force a division on it, we would support him. I don't happen to share the specific concern which he has, but I understand his concern, I understand why he is upset about it; and I also appreciate the remarks which the minister has just made.

Mr. Breithaupt: What?

Mr. Renwick: I think it is very important. I think the minister has gone a long way toward meeting the objections which were of concern to me in the bill. I am delighted with the artist sketch part of it, and I recognize that it doesn't cover the radio or a recording machine in court. I am concerned, however, at the penalty—which we will come to in due course—which I accept as a necessary penalty; if you are going to make this kind of a prohibition, you have got to enforce it.

But you have now introduced this amendment which substitutes "precincts" for "environments," and you referred in the explanatory note to the Oxford and Webster dictionaries, which define the precincts as "the space enclosed by the walls or other boundaries of a particular place or building." My concern is the words "or other boundaries."

Does it mean, for example, that the area enclosed by the famous iron fence around Osgoode Hall is part of the precincts of Osgoode Hall? Does it mean, on the courthouse on University Ave., the county courthouse for the judicial district of York, that a picture cannot be taken outside where the water fountain is but it can be taken on the sidewalk? So far as the old city hall is concerned, where many of the magistrates' or the provincial court judges' criminal jurisdiction is exercised, can the pictures be taken on the steps of the old city hall? Can they be taken on the grass in front of the old city hall?

All I am suggesting is that if we are going to impose this kind of a penalty, and if it in fact meets the need which the minister feels must be met by passing this legislation, would he consider inserting in subsection 1 of section 68(a) an actual definition of the phrase "precincts of the building" to mean the space enclosed by the walls of the building? It would allow us to do away with this nebulous question of whether or not a photographer was placing himself in jeopardy by taking a photograph outside the city hall of a person descending the city hall steps, or outside the courthouse on University Ave. because he happens to be standing by the fountain, or in the precincts of Osgoode Hall, outside the building but in the area surrounded by the iron fence.

I move the amendment for what it's worth.

Mr. Renwick moves that subsection (1) of section 68(a) as contained in section 3 of the bill be amended by adding thereto the following clause: (c) "precincts of the building means the space enclosed by the walls of the building."

Mr. Renwick: I am having trouble with the English language there. I don't know whether it should be "precincts means" or "precincts mean."

Mr. Singer: The parliamentary draftsman will fix it up for you.

Mr. Renwick: I will leave that to my friend.

Mr. Chairman: Order please. I am wondering if the hon. member would allow us to deal with the two amendments that are before us first, and then we will deal with that one?

Mr. Renwick: Mr. Chairman, of course, since you have more authority than I have, I will allow you to do whatever you see fit. The minister—because they are all related to the same section—introduced his two amendments at once and as I understand it we have both of them. I thought it made sense to put the third one in now and deal with each of them seriatim.

Mr. Chairman: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Chairman, I did not have the opportunity of entering into the debate on second reading of this bill as I had commitments outside the city last Thursday. I am pleased to see that the initial changes suggested by my colleagues in the opposition were considered by the Attorney General and that he has come to conclusions with respect to the two particular points that had been raised at that time.

With respect to the matter of dealing now with sketches and graphic portraits, I am, I

think, content with the comments made by the Attorney General that the particular immediate concerns of members of the news broadcasting media have been answered concerning the matters they thought were most important. The matters of the graphic portrait or sketch, I think, can safely be left if we look at the precincts of the building to be in accordance with the proposed amendment made by the hon. member for Riverdale.

Surely I think we are resolving the problems which might become a matter of inconvenience or nuisance to the court if we restrict the photographing that is likely to occur to the building itself. If one looks at the use of the word precincts, as at least I would understand it, when we're talking about the precincts of this chamber, we would expect that the deliberations going on here would not be interfered with by certain persons if we said that the precincts of this chamber perhaps included the lobbies on each side or the area immediately in front of the chamber.

However, the Legislature might, in its wisdom, consider that the precincts, Mr. Speaker, were the entire building. I could see that it would be a reasonable extension to look at that definition from the point of view of the room and the adjacent 100 ft shall we say, to the building itself. To go outside the building, though, probably is being a little overly sensitive on the idea of the precincts of this Legislature.

Similarly, I think if we can define the word precincts to mean within the building in which the court of proceeding is being held, we will have gone a long way to resolve any particular problem that might come up when a judge, who might be somewhat more sensitive than his fellows, deals with a photographer who might have crossed his path—to the photographer's or the artist's regret.

I would suggest that the amendment made by the hon. member for Riverdale is worthy of consideration as we define precincts. Otherwise, I think the amendments brought forward in this section are satisfactory. With the minister's undertaking to give further consideration, at least to the members of the media as they look at other concerns, we would be prepared to support these amendments and to complete this debate in committee.

Mr. Singer: But take a chance on an editorial in the Globe.

Mr. Chairman: The hon. minister.

Hon. Mr. Welch: I just wanted to speak to the amendment proposed to me by the hon. member for Riverdale, just to share in the spirit in this type of exchange. Once again the two principles involved are in section 3.

One, of course, was to preserve the physical dignity of the court process itself; and here we're talking about the courtroom. Of course that particular matter isn't of immediate concern when we talk about the precincts. But we're talking, as well, about the personal dignity of those who participate.

Now the question is that if we're going to be consistent on that point—and I really want to discuss this—if we confine it immediately to the physical boundaries of the building itself, that means as soon as the door of the building opens and the person sticks their nose out that door he can be photographed.

Now there has to be a boundary someplace, I appreciate that. And I assume that the concept of precinct, including the phrase "or other boundaries," would in fact go to the iron gate at Osgoode Hall, the general grounds upon which the building is established. This is keeping in mind that the further ingredient to this prohibition, in addition to the actual location of the individual, is that it has to be an individual known to the photographer to be involved in some judicial process.

I must simply share with you that I'm concerned that if, in fact, we confine it to the physical boundary of the building, we perhaps would not be going that extra step that's necessary to preserve that other purpose of the amendment, the privacy issue as far as the individual is concerned, to at least let them get off the so-called property of the courthouse before being subjected to whatever anybody else is subjected to in any other public place.

To be very honest with the committee, there is no question that in accepting the concept of precinct as it was used in the English statute, as it has been defined by the English Court of Appeal, the English court talking about the walls or other boundaries of a particular piece of building, at that stage it would talk about the immediate vicinity of the building in which the court was being held. Otherwise, as I have already pointed out, we would have this situation of people taking pictures of individuals known to them to be involved in some judicial proceeding as soon as they stuck their nose out of the building.

I am very concerned—and I make no apology—that as far as it is practical and as far as it is reasonable, and I think the important word is "reasonable," to protect people as much as it is possible from undue publicity insofar as the judicial process is concerned; keeping in mind—let me say it—that there has to be a boundary some place that, once they step beyond it, they can in fact be subjected to this.

I would be concerned about the restrictiveness of the definition as it is contained in the amendment of the member for Riverdale, rather than preserving the phrase from the Oxford dictionary, which I shared with the members at the time of the introduction of the amendment.

Mr. Chairman: I am wondering, did the hon. member for St. George want to comment on the motion of the member for Riverdale?

Mrs. Campbell: Yes.

Mr. Chairman: All right. Would the hon. member for Riverdale defer to the hon. member for St. George and then he can speak next?

Mr. Renwick: Certainly.

Mrs. Campbell: Mr. Chairman, I share with the member for Riverdale a deep concern for the lack of real definition, having in mind the penalty involved. I think I raised that question last Thursday when we were dealing with the term "environs."

When you look at the courthouse on University Ave., it doesn't seem to me to be a very practical situation if people leave that building through what I suppose is the back portion of it and get out into the portion which mingles between the city hall portion and the building. This kind of thing gives me great concern if someone at that stage could in fact incur this kind of a penalty.

I would have to support the member for Riverdale in this because again I think if there is a fine of this kind, there should be some straight answer as to what the offence is—and there should not be ambiguity about it. So with that in mind, I am supporting the amendment proposed by the member.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: If I may, I only want to make about two responses to the minister.

In proposing the amendment, I was concerned about the question of accuracy, so that a person who might be infringing the law would be subject to this heavy penalty without necessarily knowing that he was infringing the law. I think accuracy must be an overriding consideration; and, if I may use a dreadful term, the specificity of the definition is very important from that point of view so the person knows the point beyond which he cannot act without transgressing the law. That is the first point.

The second point—and the minister used the term "reasonable"—is that I am not quite certain that "reasonable" is the question to be put when you are deciding when the public interest and the private interest are each to be recognized, because that is always a difficult problem. The minister can use the word "reasonable" if he wishes, because he likes that kind of pall of sweet reasonableness even with a certain amount of indecision in the thought processes about it. But it would seem to me that the courthouses are public property in the first place, so that the restriction which you are imposing is a restriction imposed on the use of public property by the citizenry, for what you consider to be an overriding purpose with which I happen to agree, that is the dignity of the court proceedings in the sense that the minister has enunciated it. The person's private interest surely does not mean that once he steps out of the doorway, or as he steps out of the doorway onto public property, that he's not at that point in time a member of the public.

All right. I'll leave it to the ingenuity of the private citizen who doesn't want to be photographed to leave the courthouse on University Ave. by one of any number of exits, and similarly with the city hall and with Osgoode Hall. I'm just suggesting that if the citizen's privacy is to be protected there comes a point at which it no longer deserves that protection, and the minister presumably wants it somewhere out where he steps on a sort of common sidewalk surrounding a courthouse, which is a public thoroughfare. He wants it extended that far.

I think at that point the minister has to give weight to the necessity of accuracy, because I don't know, and I don't imagine the minister knows, at what point the courthouse property on University Ave. stops. We do know at Osgoode Hall because of the iron fence; we don't know about the city hall. I don't know, for example, whether or not the city hall precincts, as the minister is going to use them, encompasses the grass space in front of the city hall on either side of the cenotaph.

It's for those reasons that I would think that if one wants to balance off the various interests the interest of accuracy should take precedence over the privacy of the citizen in that situation, and we would in that way, I think, meet the public need.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: Mr. Chairman, I'm not going to pursue the idea of adjourning the debate any further. I see the minister has made his decision that he doesn't wish to do that and one knows what the result of the vote would be.

In a very general way I would just like to put on the record the fact that if tomorrow, or the next day or next week, the TV stations and other people in the media come back to this minister, it is because in the same way the government has systematically been alienating groups like farmers, teachers, hospital workers and so forth, the government now quite gratuitously is taking a similar kind of step in regard to the media of the province in not giving them reasonable time for an opportunity for consultation about this particular bill which affects, in a very fundamental way, the rights of journalists when they are covering judicial proceedings. I think that should go on the record.

Under some substantial pressure the minister did meet with the president of the press gallery in a quick corridor conversation during the question period today. He had a conversation with Mr. Stuebing of CFTO and he will presumably be seeing some communications from newspapers and the media over the next few days.

Perhaps it should go on record as well, if anybody from the media is reading this debate in the next couple of days, that if you know how it feels now to be treated this way that this is the way in which the government has been systematically treating many groups in Ontario society, not just for the last few months, but over the last many years. It's an arrogant way in which the government is proceeding and I want that to go on record.

Mr. Chairman: The hon. member is being repetitious.

Mr. Cassidy: Thank you, Mr. Chairman.

The second point I wanted to make is this. We now have a code of conduct in effect. I do thank the minister for at least making some changes to the very unworkable provisions which were put forward in the original bill when it was debated last week. We now have a code of conduct and there is a commitment by the minister that if anybody wants to sit down with him in the next coming months that he will sit down with them. Okay.

The minister, though, has been around politics long enough, and around the Legislature long enough, to know very well that it is much easier to make any changes that might be considered desirable—in the balance, as he's putting it, of the public interest and public access to the courts, versus the private interests of the people involved—it is much easier to make those changes before the legislation is introduced than afterwards.

After today there will be a code enshrined in legislation, and there has never been one before. It will therefore be much more difficult if the electronic media, which tend to get the back of the hand from this Legislature in general anyway—after all they can't bring their cameras into this place, let alone into the courts—it will be much more difficult for them to get changes that might be workable, practicable and desirable, than it would have been had there been reasonable consultation beforehand.

Thirdly, the problem that has been raised by the member for Riverdale I think is a very real one. Perhaps once again, as a former working journalist who has worked on daily as well as weekly newspapers, I can say to the minister that photographers, whether they be still photographers, movie photographers or TV photographers, aren't all necessarily journalists who also write, and they certainly aren't necessarily lawyers.

For that matter, some photographers have a very strong visual sense, but not too strong a verbal sense, if the minister sees the distinction. In other words, if you ask them to understand what is meant by "precincts" and to know where the magic line is outside the University Ave. courthouse or the Daly St. courthouse in Ottawa, they may find that very difficult to follow. If the minister is looking for a code which is reasonable and which is enforceable and through which everybody knows where they stand, given a degree of the severity of the penalties that are proposed in the amendment, then I would suggest very strongly that the proposal of the member for Riverdale be accepted.

It seems to me that when we debated last Thursday the uncertainty of the word "environs," the minister quite rightly reacted by saying: "Okay, we'll try and give it greater certainty." The member for Lakeshore and I in fact were disagreeing, because I said that the minister had referred to the courthouse

steps and the member for Lakeshore said: "No, it is within but not without." Now it turns out that it is without to some indeterminate line.

At least it isn't across the street to the pub which is opposite the courthouse in Ottawa, and isn't down around the corner from Osgoode Hall here in Toronto. At least that's clear. But where the line is, is still not ultimately clear. Given the penalty of $10,000, which is a very severe penalty—after all, that is as much as some of these photographers actually make in a year—it seems to me that a clear, simple, enforceable line should be drawn at this time.

Mr. A. J. Roy (Ottawa East): That's the maximum.

Mr. Cassidy: That's the maximum, but that's what they are putting themselves to risk for, whether or not that's what the court would impose.

But you leave it open to a photographer to be hounded. You leave it open for a judge to go after a photographer. You leave it open to people who make $50,000 a year, who are learned in the law, to go after these people who are perhaps in fact more ignorant than anything else in terms of the application of the bill.

I'll have some other comments on the first two amendments. If the minister himself is saying that right now he's looking for something of an interim measure so he can get his extra judges; so that the present practice can be codified so that he can then sit down over a period of time with CFTO and CBC and the other people who are concerned with seeing whether some longer term changes might be worked out, then I would have thought that he could accept the amendment of the member for Riverdale for now and then come back in six months or a year's time and at that time, if in his best judgement the definition of "precincts" really ought to be widened to go to the street from the courthouse door, then do it. If, on the other hand, it's decided that under certain conditions, certain kinds of cameras can be allowed, let's say into the anterooms but not into the chambers themselves, then that can be done at that time, too. But don't leave it in a fuzzy state—and that's what the minister is doing unless he accepts this amendment.

Mr. Chairman: I am wondering if it is the pleasure of the committee that we deal with the amendments individually first.

Hon. Mr. Welch has moved that subsections (2) and (3) of section 68(a) as contained in section 3 of the bill be amended.

Shall this motion carry?

Mr. Cassidy: Mr. Chairman, if it is possible to talk to the section after it is amended, then I will simply go ahead. If not, I would like to talk now. I'd like to know also whether the minister is willing to agree to the member for Riverdale's amendment.

Mr. Chairman: It would seem to the Chair that any discussion on the amendment should be made before the vote is taken.

Mr. Cassidy: Okay; just for the record, I don't necessarily have the support of the member for Riverdale on this. It's a matter on which people can legitimately differ. I am a journalist by background; the member for Riverdale, like the minister, is a lawyer by training and practice.

It's obvious that everybody in the House will welcome this change, which removes one of the real ambiguities from the bill. The permission of the right to sketch in court makes a lot of sense.

I would just say, personally, that I think that with modern technology both tape recorders and cameras can be put into a courtroom under the control of the judge; and that is with the powers of regulation of courtroom discipline the judge has. This is no different than permitting the reporter for the written press to go in with his pen.

That position has got to be accepted and has got to be understood in an age when people derive well over half of their information about what's happening in current affairs not from the written press but from the electronic media.

I know the minister wouldn't agree to a bill that deprived reporters going into a courtroom of their pencils or pens. That would be absurd. But yet that is what he is doing with the prohibition of photography or of TV recording, or by inference of microphone recording, of tape recording anything that happened within the courtroom.

Mr. Roy: That's not so.

Mr. Cassidy: And at least personally, I cannot agree with that and I wish this section was not being passed in its present form.

The amendment itself is welcome, and I would support that particular amendment referring to sketching.

Mr. Chairman: All those in favour—

Mr. Roy: Mr. Chairman, may I just say this on the amendment to clarify the remarks

made by the member for Ottawa Centre. Last week we suggested this amendment to the minister because it appeared somewhat ridiculous that you would let reporters go in and scratch on their pads to make notes and yet not let them make a sketch.

But, Mr. Chairman, I think it's important to clarify for the record something that the member for Ottawa Centre said about denying the electronic media the right to photograph or to have their cameras in a courtroom. This is not a strict denial of the press to communicate through their media what is going on in the courtroom. There is nothing wrong with the electronic press, for instance, giving their comments over radio as to what happened in a courtroom. They can be present personally. The only prohibition is for them to record, or have the electronic equipment in the courtroom.

It is not, as the member for Ottawa Centre said that you are denying the public, through that media press of what happened in the courtroom. There is nothing wrong with the electronic media filming outside the precincts of the courtroom. There is nothing wrong with a reporter, in fact, using electronic equipment to say what went on in a courtroom.

The only prohibition, Mr. Chairman, is to stop cameras from filming, for instance, inside the courtroom. This would prevent people from running around the place taking photographs during the court proceedings. And we must do this if we are to keep some respect for the courts. This is necessary, for our system to function adequately. I don't think you could, for instance, allow the recording of a witness who is giving his evidence; or the filming of the judge giving his charge to the jury.

Mr. Chairman, I think this is the distinction that has to be made. It is not an absolute denial. The reporter can film outside the precinct; give his comments over television or over radio. I think that point should be clear; we should get that situation cleared up.

Mr. Cassidy: Mr. Chairman, the member for Ottawa East is perfectly right when he says that a television reporter can, in fact, have himself photographed, from the steps of the courthouse, I suppose, or at least outside of the courthouse, giving a commentary on what had gone on inside. And a radio reporter can—

Mr. Roy: He can also photograph a witness.

Mr. Cassidy: A radio reporter can do that as well. A print reporter's notebook looks like this; however a radio reporter's notebook is two items; one is like this and the other is the tape in his tape recorder. A television reporter's notebook consists of the visual record on film or on video tape in addition to whatever notes he may have made. That's the point which is ignored by the gentlemen learned in the law in general; and I don't speak specifically to the member for Ottawa East on that.

I am quite critical at times about the superficiality of some of the coverage by the electronic media of important affairs of state, including trials and, this place, the Legislature, but I think the point is still, nevertheless, well taken, that their notebooks include the audio or visual record and not simply what they can put down on paper. This is a point which everybody else who has spoken on the debate has ignored in their concern about the dignity of the courtroom. One can't help but wonder whether maybe a few judges, like the fellow who ordered $2.16 an hour in his arbitration when the minimum wage is higher than that, perhaps shouldn't be brought up to date, face to face with the realities of the modern world by having that exposure to the media, in the way that that fellow clearly wasn't.

At any rate, I have put on the record my concern about this. I know that this concern is shared by people in the electronic media. It is of less importance to people in the written media because of the fact that they have and have always had access. Now that they have been assured that they can also sketch, the right to photograph or not to photograph is not so important to them as long as they can sketch.

Mr. Chairman: Those in favour of the minister's amendment as previously read will please say "aye."

Those opposed will please say "nay."

Amendment agreed to.

I will now read the minister's further amendment.

> Hon. Mr. Welch moves that subclause (iii) of clause (a) of subsection (2) of section 682 as contained in section 3 of the bill be amended by striking out "environs of the room or" in the first line and inserting in lieu thereof "precincts of the."

Mrs. Campbell: Mr. Chairman, on that point, would it not be appropriate at this time to put the amendment proposed by the member for Riverdale and then the amendment itself?

Hon. Mr. Welch: I think that's reasonable. The House is being asked to vote on the use of the word "precincts" and connected with it has been an amendment which has been introduced subsequent to that defining precincts. I haevn't heard from either the member for Lakeshore or the member for Downsview with respect to that. If they have any comments, I would like to have them. My concern is that if we are not very careful here we will have the Toronto situation dictate the practice throughout the whole province. It is quite clear what I mean when I am talking about the courthouse in St. Catharines. There is no question what precincts will mean there and what precincts would mean in all kinds of places.

Mr. Cassidy: What does it mean?

Hon. Mr. Welch: As far as I'm concerned, the courthouse lawn is part of the precincts. There would be no question in any reporter's mind in the city of St. Catharines what the precincts of the Niagara north courthouse would be.

Mr. Cassidy: Up to the fence.

Hon. Mr. Welch: It would be to the fence around the courthouse. If we are not careful here, we will have a situation that as soon as the person gets to the front door he has to put a bag over his head to get out and down the steps, if he doesn't want to have his picture taken or some silly thing like this. If we agree, and I think the member for Riverdale put it very well, we have got to start weighing up peoples' interests. I am impressed by the argument that there are some rights as well for people to know where they are or where they are not going in contravention of the Act. That's an impressive argument.

The point is if we take it right up to the wall of the building, however, we do deny at least some reasonable access from and to the building of those going to the judicial process. I said in earlier comments that there has to be a boundary some place. The English Court of Appeal found that in defining it. I'm worried here about this in trying to accommodate the Toronto situation. I can see what the hon. member for St. George says about the Toronto situation. It wouldn't be the same at Osgoode Hall. It would be quite clear what the precincts of Osgoode Hall would be or what the precincts of any one of the Toronto courthouses would be. Unfortunately, what troubles me in accepting a definition that leaves out our other boundary, because the Court of Appeal itself talked about there being a reasonable area around the building itself which would be deemed to be part of the precincts, is that I would be far too narrow. That is why we agree with the general principle that we are trying to be more particular. We agree with the general principle that people taking part in the judicial process are entitled to some privacy. I didn't want to so restrict it that, as soon as the door opened, they were exposed to something that we have been trying to protect them from, although I appreciate that at some point they cross a line where they are subject to whatever the consequences may be with any member of the public.

So, if it is in order, I would appreciate hearing from the hon. member for Downsview and the hon. member for Lakeshore, as critics of this ministry, with respect to this attempt to be too particular in defining "precincts"; a term which, I understand from my homework since Thursday, seems to be generally accepted by the courts.

Mr. Chairman: The hon. member for St. George has made a valid point, that we should deal with Mr. Renwick's amendment first.

Hon. Mr. Welch: Just before you do, Mr. Chairman, I wonder if—

Mr. Chairman: Yes. I was going to suggest that I would reread his amendment and then we will hear from the hon. member for Downsview:

> Mr. Renwick moves that subsection 1 of section 68a as contained in section 3 of the bill be amended by adding thereto the following clause: (c) "of the building precinct"—"Precinct of the building" would mean the space enclosed by the walls of the building.

I must take a reading lesson from the hon. member.

The hon. member for Downsview.

Mr. Singer: Mr. Chairman, bowing to the minister's request, I must return to my original thought. I think clause 3 is unnecessary. Now that we are going to have it, I think we've got to try and define it within some reasonable boundaries. My friend, the Attorney General, was talking about the lawn in front of the courthouse in St. Catharines. If there was a particularly newsworthy trial, I feel certain that the television cameras would be lined up just at the boundary of the lawn.

Mr. Breithaupt: That's what they are doing in London.

Hon. Mr. Welch: Yes, but you could at least let them out of the building.

Mr. Singer: Yes, you let them out of the building. Do you mean as they walk out the door or as they cross the sidewalk? Do we have signs up that say "Precincts start here" or "Precincts stop here," "Don't walk on the precincts" or something like that?

I think that by trying to codify this we get into this kind of a quibble, so I wish you would take the whole thing away. I don't think you need it. I think the judges can control it. That goes back to my original point. But now that you are going to have it, for goodness sake make it definite. Make it definite and say "within the four walls." Come back to Toronto, in our courthouse, the new courthouse in the city hall square or off the precincts of the city hall square, there are all sorts of offices in there—surrogate court and county court and sheriff's court and so on—and I don't really know what harm would be done if you take a picture on the first floor of somebody who may be on his way to a courtroom up on the fourth floor.

I'm prepared, for the sake of some clarity, to go along with "in the boundaries of the building." I would support the amendment for the sake of clarity.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: Having been invited, my basic disposition on this particular clause is to ask that you delete the whole thing, because I don't personally feel any great impress or any need for it.

Mr. Singer: That's right.

Mr. Lawlor: If some riot or squabble or some insupportable public act had occurred recently, or even within memory, that would make this an exigency, then fine. But you dream; out of the air you get your fictional, mythical entities. You've got enough to do around here without bothering with this. We'll get around to Clement's stuff in a few moments; stuff with some meat in it.

Mr. Roy: There's a lot of meat there all right.

Mr. Lawlor: This is as woolly as blazes. If you really want to know, I don't think that "precincts" is all that great an improvement over "environs." Considering the grotesqueness of the penalty, I was just going to make the ludicrous more ludicrous by suggesting that perhaps you would have to say, if you want to stick to the term "precincts," but at no greater distance than 15 or 25 feet from the front door, and if somebody was over the line slightly he could be hit with a $10,000 fine.

Mr. Breithaupt: Perhaps we could have something about "the environs of the precincts."

Mr. Lawlor: They are going to have to measure it pretty closely, you know. And then my friend, Cassidy, goes and complicates all my thinking, all my profound thoughts on this issue, by talking about telephoto lenses immediately outside the 25 feet perimeter—

Mr. Cassidy: We will draw a line and call it the "Welch Line."

Mr. Lawlor: —that we are going to set up as an electronic wall, so to speak, around the area.

Interjection by an hon. member.

Mr. Lawlor: So if you drive us to it and keep the thing at all, which you are going to do obviously, then I too am going to have to come down against it on the basis of what my friends say. It seems to me that this kind of legislation in the American jurisdiction would run against either the first or the fifth amendment—probably the first amendment—of the United States constitution. We are not particularly concerned with that, of course, but they have these written and highly institutionalized forms of civil liberties and protection, and it wouldn't do us any harm, with all the vagaries and vacuities of the British, to take a look at the American jurisdiction in this regard. The British work by rule of thumb and habit. They do not have the constitutional limitations that have been written down there and tested time and time again.

It seems to me that to protect up to the walls of the building and going out the door, perhaps prevents the kind of thing you are after—God knows what you are after—that is, some brouhaha inside the courthouse itself, with people quarelling with one another, pushing, shoving, shouting, taking pictures, whatever it may be. But beyond those doors, if you are seeking to protect personal privacy, there are other ways of going about it.

On the other hand, I think you'll admit that people involved in criminal proceedings have to or may be expected to, or will be accustomed to, or will accept as rather commonplace, as they do today, that perhaps they would have to face a photographer

coming out of the building. It's part of the overall public realm. Are you so neat, so circumscribed and so nice about personal liberties in this particular regard, over against the public realm, the protection of the property, of the building and the decorum of the courts, if you will? That particular consideration would seem to be a prime one to start with, for it is largely eliminated as you go beyond the building itself.

Therefore, you are going to have to balance a sense of privacy in not wishing to have your picture taken over against the public realm, which is entitled to know which people resort to, under what circumstances and, if there is a matter of some urgent public importance, would be prepared to do that. Therefore, again, you have always balanced the other way; you have balanced in favour of a constricted view of the benefits to the particular individuals involved at all costs. I say that may not be the best and the wisest dimension of public policy.

Again, one comes back to the motion of the member for Riverdale, saying, "All right. Since we are going to have enormous difficulties in determining the geographical limitations of this, the simplest and easiest way, on the basis of the definition of precinct as it originally emerged, is simply to set up those walls." Beyond that, the thing becomes so vague and so indeterminate, and the penalty is so great for the infringement of the thing, that it is not fair judicial legislation proceeding from the Attorney General in terms of justice and prosecution.

People are entitled to know, as a basic fundament of our law, what they are up against. And dragging this kind of thing into legislation leaves it so indeterminate and so vague as to attract great penalties on the most nebulous of issues. That being the case, I would proceed to prevail upon you—for the nonce at least, since there is give and take in this particular debate—to accept the proposal of the member for Riverdale and see how it works. Then if you think you have to go beyond that in some future occasion because somebody has breached the spirit of the thing, then so be it; move in at that stage.

Hon. Mr. Welch: Yes.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Mr. Chairman, I have one more thought I'd like to express to the Attorney General. To some extent he is legislating good taste in the journalist's mind. There is a notorious murder trial in the city of London at the moment. One of our local newspapers, for some reason best known to itself, saw fit to publish on the front page a seminude picture of a female person who had been involved in some of the evidence. I thought that episode in that newspaper's history was very distasteful. There is nothing here that can prevent that sort of thing; nor can we attempt, I don't think, to legislate what a newspaper can or cannot publish. It is to be hoped that the feeling of aversion that many people expressed about that particular display is going to have its effect.

I think the further we go into this, the more dependent we are going to be on the good taste and the good intelligence of most members of the media, who in most cases act with good taste. And when you get so vague and try to defend, and perhaps give this arbitrary power, then I think you are getting into danger. So I go back to my original position: If you feel you have to have section 3, for goodness' sake make it as definite as you can and accept the amendment of the member for Riverdale.

Mr. Chairman: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Chairman, I would encourage the Attorney General to accept the views of my colleague from Downsview.

Again adverting to the use of this building as a court, one would think that if the example used would prevent this kind of, shall we say, photographic or media interference with an individual—at least from the individual's point of view—it would be quite sufficient to hold the terms and the boundaries to be this building. There are half a dozen entrances and exits. If someone wished to go through the underground passage and disappear into the Macdonald Block and come out at any one of a dozen or 20 exits, I am sure the person could avoid having to have photographs or interviews taken in such a way as to be a breach of this section.

I think that the area of the building is sufficient when we look at any of the courthouses in the province and probably find that they have four or five entrances or exits and it's most unlikely that there will be a cameraman at each one of those at a specific time. When the matter of a telephoto lens is brought up, then it doesn't really matter whether the photographer is standing immediately outside the outside door of the building, or whether he happens to be in a car across the street.

Hon. Mr. Welch: The important point there won't be where the photographer is because he could well be outside the environs. It will be where the individual being photographed is.

Mr. Breithaupt: If the individual being photographed is stepping outside the front door, it isn't going to matter all that much what the situation is. I think that from the comments certainly made on this side of the House, it would appear that while the section may be seen as not to be of particularly vital importance in the administration of justice, the one point that does come up is that if we are to have the section, we should attempt to define for the benefit of all persons who will be concerned just what the term means. I think the definition of the word "precincts" as brought forward by the member for Riverdale is a satisfactory one and I would think its acceptance to see whether it works over the next year or so would be a reasonable way of dealing with the matter.

Mr. Chairman: The hon. minister.

Hon. Mr. Welch: Having asked for some comments I appreciate having them. I just want to make two or three observations.

No. 1, although I appreciate the suggestion that I am being particularly original about bringing in such a section, I would remind you that in 1925, nearly 50 years ago, it was considered to be important enough to form part of the Criminal Justice Act of the United Kingdom.

Mr. Singer: We've never had legislation on this matter and don't need any now.

Mr. Lawlor: And we have been good enough to live without it since 1925. Imagine that.

Hon. Mr. Welch: No. 2, the word "precincts" is there and has been well understood with respect to the definition which was referred to in the court.

No. 3, if one wanted to really make an honest and consistent case—I don't want to use the word "honest"—a consistent argument with respect to knowing where you stand, leaving it to the discretion of a trial judge in each individual situation, it certainly isn't being very definite as to where you stand. You don't know until you come into contact with him what position you are going to be in.

However, having said all that and having listened to the argument, I am prepared to accept the amendment of the hon. member for Riverdale at this stage to give it some practical application. Also, consistent with the fact that the whole question raised by the member for Ottawa Centre will be the subject matter of some discussion later on with respect to the section, at this stage of the game we will have "precincts" defined as suggested by the amendment.

Mr. Chairman: The chairman has been rereading the amendments and inasmuch as Mr. Renwick's amendment refers to precincts, which wasn't in the original bill, and the minister's amendment does refer to precincts, I would suggest that we take the amendment dealing with the minister's suggestion first and then—

Hon. Mr. Welch: Go back and define it.

Mr. Chairman: —we'll go back and define it.

Mr. Cassidy: Mr. Chairman, very briefly, because we have reached the end of the debate I think now, I appreciate the minister's accepting that amendment. As the member for Lakeshore has said, he and I are both unhappy with this subsection 3 whether you amend it or not, and this is the only vote we will take on the subsection. I just wish that the minister had been willing to accept that this whole business of the precincts is a very exaggerated and elongated area zone of privacy, so to speak, to create when what was really needed was to talk about the court room and maybe the doors in and out of the court room and no more.

Mr. Chairman: Shall these amendments carry? We shall deal first with that of Mr. Welch.

Agreed to.

Mr. Chairman: And now Mr. Renwick's.

Agreed to.

Mr. Chairman: Shall the bill as amended be reported?

Mr. Cassidy: I have an amendment I would like to place at this time.

Mr. Cassidy moves that subsection (4) of section 68 (a) as it appears in section 3 of the bill be amended by changing the figure "$10,000" to the figure "$1,000."

Mr. Cassidy: If I can just speak briefly to that, Mr. Chairman. One is tempted to think that when they were drafting the bill the penalty clause was simply dredged out of the files in the Ministry of Justice, where it had been mouldering for some time, and without any real consideration as to whether the fine was reasonable in relation to the offence.

As the minister will notice, I have left the six months in the case of a grave offence by a newspaper or a TV station. With the wealth of the Toronto Star or of CFTO or the CBC, then clearly money itself is not a particular penalty. And it seems to me that if the judges are really offended by what has been done, then a jail sentence might be in order if the dignity of the court had been grossly offended; in the same way as is carried out under contempt proceedings.

But to put photographers and TV cameramen and so on at risk for almost a year's salary is crazy. I can see, however, that the minister — let's acknowledge it — having yielded substantially in several sections of the bill, is now digging his heels in. We would suggest that you grant this amendment too, and see how it works. And if $1,000 is not found to be an adequate penalty then, when you bring the bill back, you can increase it.

Mr. Singer: Mr. Chairman.

Hon. Mr. Welch: Mr. Chairman, how do you cope with a member like this? I mean, "digging my heels in," because I've given in! However, I suppose one has to accept anything in the committee stage. But I point out to you that one of the reasons that I was impressed by the argument with respect to being somewhat definite was the fine. And having been impressed by that argument, he can't have his cake and eat it too. In fact, that was a fairly important part of the argument in giving some consideration—

Mr. Singer: Specificity.

Hon. Mr. Welch: Being very specific with respect to precincts. Now, having succeeded in that, they want to turn around and reduce the penalty, which was being used as an argument for making a change before. I can't accept the hon. member's amendment.

Mr. Singer: Mr. Chairman, could I say that if the minister was using the word "they" without sufficient specificity, I wish he would confine it to our friends on the left, because we do not share their view on this.

Mr. Cassidy: You would have increased it.

Mr. Singer: If this offence is now going to be created to be an offence by this Legislature, and if it is a very, very serious degree, then the maximum fine could well be $2,000. We will not support the amendment.

Mr. Chairman: The hon. member for Ottawa East.

Mr. Roy: Mr. Chairman, I can think of two reasons why we cannot support the amendment. First of all, basically, in the overall enactment and enforcement of the legislation, you've got to have faith in your judges and the people who are going to be enforcing these laws. It would seem to me that, even though it's clear that the $10,000 is the maximum, do we have faith in the judges who are going to be imposing these fines, or don't we? That's what it boils down to.

The second point that bothers me about the amendment is that—

Mr. Cassidy: Why put any figure at all?

Mr. Roy: Why put any figure at all? Because I think you want to state what the policy of the legislation is. Every piece of legislation should have some maximum, because we make the laws and not the judges. And you, of all people, should know that.

Mr. Lawlor: But you don't have faith in the judges. You are giving them some indication of how serious you think it is.

Mr. Roy: The other point that bothers me about this amendment is that if the minimum or the maximum fine is too low, and you keep the six months, if some judge at some time feels that the maximum fine is not adequate, he's liable to look at the jail term rather than be looking at imposing a greater monetary penalty. And for that particular reason we feel that—

Mr. Lawlor: Well, we will cut that down to 10 days.

Mr. Roy: —curbs have to be put on that type of legislation. We feel that the fine of $10,000 will be enforced justly and with equity by the courts which will have to impose these punishments. And it seems to us that the amendment proposed by the hon. member for Ottawa Centre is basically one of playing a bit of politics—I suppose for the press—on this. It is not a matter of judicial knowledge.

Mr. Lawlor: Oh, come on now.

Mr. Roy: If you weren't sitting so close to him you would agree with me, but he is hanging on to your wrist, that is your problem.

Mr. Cassidy: The member is bucking for a judgeship.

Mr. Chairman: Mr. Cassidy has moved that section 3, covering section 68(a) subsection (4), be amended by changing the figure "$10,000" to the figure "$1,000.

All those in favour of Mr. Cassidy's amendment will please say "aye."

Those opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the motion lost.

Section 3, as amended, agreed to.

Sections 4 and 5, agreed to.

Bill 139, as amended, reported.

LOAN AND TRUST CORPORATIONS ACT

House in committee on Bill 152, An Act to amend the Loan and Trust Corporations Act.

Mr. Chairman: Are there any comments, questions or amendments to any section of the bill, and if so, which one?

Mr. Lawlor: Well, let's start at 1.

Mr. J. E. Stokes (Thunder Bay): Now he gets to the meat of the thing.

On section 1:

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: Yes, can I take a chunk out of you, nibble slightly at the edges on 1. What is it about? What is it here for? That note at the side tells me absolutely nothing.

Mr. F. Laughren (Nickel Belt): The ball is in the minister's court.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): I am sorry, I didn't hear the member. Is it section 1 you are talking about?

Mr. Lawlor: Yes, I asked the question to give me time to look at the rest of it.

Mr. Stokes: Explain the bill to him.

Hon. Mr. Clement: Actually the marginal note there is very clear, Mr. Chairman, and I am positive that the member for Lakeshore has absolutely no difficulty in understanding it.

Mr. Singer: It was written by the minister himself.

Hon. Mr. Clement: Many of the companies which are so-called loan companies are really operating as section 3(2) private companies, as we used to call them, under the Business Corporations Act. They are borrowing money from financial institutions and investing in real estate only, and really are not within the full definition of a loan company as we know it, under the definition within the Act.

I don't think I have anything else to say in connection with that. Is there anything else? I am directing this through you, Mr. Chairman, as a question to the member for Lakeshore. Is there anything else I can help him with on that particular section?

Mr. Lawlor: Well, let's put it this way, both with respect to that section and section 2—although don't let's jump too quickly to it, because I want to ask about subordinated notes—are these, as you see them, a form of MICs or are they something completely distinct from mortgage investment corporations? Or do some mortgage corporations participate in this particular corporate form? That is what I am kind of after here.

Hon. Mr. Clement: Mr. Chairman, at the present time, under our legislation, trust companies can invest up to 12½ times, or borrow up to 12½ times the multiple of their unimpaired equity. Let us say we had a trust company in Ontario which had an unimpaired net equity of $1 million. That company can accept deposits and moneys for investment up to $12.5 million, assuming the net equity assets over liabilities net were $1 million.

There is a procedure in the legislation whereby, on application to the Lieutenant Governor in Council and upon meeting certain conditions, this can be enlarged up to 20 times. That then will bring that company into the position where with the net equity, if we can always regard that as remaining the same, upon completing the application and meeting the criteria, then $20 million can be obtained and put out for mortgage investment and this sort of thing—the trust company can do it on behalf of its own operation.

On the subordinated note, the situation today is that not all, but many, trust companies are up to that 20 times net and can go no further to raise additional capital by the sale of their own shares. They are competing with the equity markets downtown. Quite frankly, it's not an attractive arrangement for the potential investor and they find themselves stymied. They find themselves in the position where, really, they don't want to take any money on deposit or offer any more guaranteed investment certificates because they really can't put it out.

The subordinated note situation would allow them to exceed the 20 times if they were at that level. For all intents and purposes here let's consider that they are, because if they weren't they could bring it up

to the 20 times. The subordinated note procedure would allow them to have additional moneys available upon certain conditions being met.

Again, the company with the $1 million equity could, on the strength of that, issue subordinated notes at one-quarter of the net equity times the multiple of 20.

Mr. Singer: It's 25 times.

Hon. Mr. Clement: No, it's 25 per cent of the net equity, which would be $250,000 times the 20.

Mr. Singer: Yes. One-quarter times 20 is five, so you get 20 plus five.

Hon. Mr. Clement: Yes. Now, similar legislation for those federally incorporated trust companies is now awaiting royal assent in Ottawa. Our intention is to allow the extra-provincial companies carrying on business and relations here to do so and our own Ontario companies to be on a comparable basis with them. We're talking about making available most substantial sums of money, because it came to my attention this afternoon that there is one trust company in this province that is prepared now to put out—They have $40 million available. The factor there would be $10 million times the 20, so that one company would have available an additional $200 million for investment.

Mr. Singer: Another five times, yes.

Hon. Mr. Clement: Now, the trust companies by law have to have not less than 50 per cent of their moneys for investment in mortgages under certain conditions and meeting certain criteria. I am advised that, particularly in this day and age, about 70 per cent to 80 per cent is the average for trust companies in the real-estate residential mortgage market today. So I very strongly state to the House that this type of legislation will permit those extraprovincial companies and the Ontario trust companies to make available many millions of dollars of mortgage money to the public of this province. That is the situation, as I understand it, insofar as the subordinated note is concerned.

The subordinated note ranks after all other creditors. For purposes of computing how much they can raise it is considered to be part of the unimpaired net equity, but it does not compete with the deposits; it does not compete with the GICs; it does not even compete with the creditors.

Mr. Singer: Is it subject to the guarantee?

Hon. Mr. Clement: No. So it is not, from my point of view, the type of investment that would attract the individual unless that individual was a substantial shareholder in that particular trust company. Then he says: "In order that my company, in which I own three per cent," or whatever it might be, "can do better and get bigger so that I will benefit, I will take a block of $50,000," or $100,000, or whatever it is, "and buy that amount of subordinated notes in order to have this additional liquidity available for the market."

The very sophisticated, large investors might well move into subordinated notes because 0.125 or 0.25 per cent on many millions of dollars could be rather attractive, but to the small—if I may use that expression—investor, a person who has $50,000 or $100,000 to invest, it's not going to be that all-fired attractive. Why would he bother, when he can go and put it in a GIC and he doesn't have to worry about it and he can put $100,000 in five different trust companies and know every dollar is effective? So that, basically, is the situation.

The alternative is, if you don't do this, when royal assent is given to the federally incorporated trust companies legislation they are going to be able to release this additional money and our own trust companies incorporated here in Ontario and those extra-provincial ones which have a licence to do business in Ontario really would be discriminated against in that they can't compete.

Mr. Singer: Mr. Chairman, I'm concerned because what in effect the minister is doing, even though by a lesser way, is increasing the incidence of investment from 20 to 25 times. I think the minister's arithmetic and mine have met at that point. When you take a quarter of their capital and multiply that by 20, then you have another five, which you add to the original 20.

The select committee, as the minister knows, since he was at one time chairman of it, has been sitting for some time now.

Mr. Stokes: For years.

Mr. Singer: Yes, for years. And it will probably sit for many years yet, because the expertise the committee has developed has effected very important and valuable changes in the law of the province of Ontario already and will continue to do so.

What concerns me, Mr. Chairman, is that we have been very seriously considering the limits on the money that can be put out for

investment. I don't know as yet that we've come to any conclusion.

One thing I have I think learned, as these deliberations have been going on in a variety of jurisdictions, is that there are very many different opinions. Certainly sitting here in Toronto, as we've done, and having with us at most times representatives of major trust companies, I have gathered the impression that there has been something less than great enthusiasm for extending these limits. There has been, particularly in view of the unsettled money conditions of the world today and of North America today, a concern about what might happen to some of the more venturesome trust companies, perhaps some of the newer ones, if this bridle were taken off.

I'm trying to phrase this as carefully as I can without pointing in any particular direction. I detected something less than any real enthusiasm for this kind of an extension from the trust company representative—they have an association and their representative has been here—and from senior knowledgeable individuals from individual trust companies who sat with us for many of our meetings. The reason that I would ascribe to this has been their genuine worry as competent small-c conservative businessmen who are anxious to protect the investment of their company and their shareholders and to make sure that they don't get into difficulty, and their anxiety to protect the integrity of the industry. There has been something less than any enthusiasm expressed to us for the extension of this borrowing and/or lending facility.

It seemed more than strange to me, while the committee is still continuing its deliberations, and I would anticipate that we are going to come forward with a report on our studies into loan and trust corporations within the next couple of months, that the minister should jump the gun and bring in this legislation. He says companion legislation exists in Ottawa and is waiting royal proclamation. That may be, and that may apply to federal corporations insofar as federal permission is needed. But when federal corporations and extraprovincial corporations do business in Ontario, they can only do business in accordance with the particulars of their registration with the Province of Ontario.

If they want to enter into this kind of financial adventure in the Province of Ontario —adventure was a bad word—venture in the Province of Ontario, they still have to do it with the consent and approval of the registrar, because they have to register with him in order to carry on business here. I haven't even heard the registrar and the officials who have been at our committee regularly express any anxiety that this presently be done.

I would feel much more comfort in going along with this if I had the advantage of hearing the opinions of the registrar and his staff and of hearing the opinions of the representatives of the various trust companies with whom we have dealt for a number of months, and let them explore some of the doubts they have already expressed to us both publicly and privately.

I am not trying to build up any great storm of concern, but I have been impressed generally with the careful nature of the representations we have received from these companies and the lack of any positive indication from the registrar and his staff that this kind of a step should be taken. I am wondering if the tail might be wagging the dog, that because a bill originated in Ottawa, perhaps in the Senate banking committee—who knows?—we now are faced with it here on the basis that, well, if Ottawa thinks it's good, it must be good.

I don't know if the minister feels there is any great urgency about this, but if he does I would like to hear him tell us why. If there is no great urgency, and since it would appear this session of the Legislature is headed for adjournment in a few weeks and our committee is going to meet fairly frequently through the month of January, would there be any objection to deferring this bill until the Legislature convenes in the spring, and in the meantime letting the committee hold some kind of hearings in this regard.

I hear what the minister says. I don't know the extent to which he has consulted either the industry or his staff. I am sure he and his staff have sat down and talked together about this and he has received the advice of his senior officials, and that's why he is here with this bill. I would like to hear some full-fledged public discussions, I would like to hear from the various gentlemen who have sat in on the many sessions of our committee. I would like to hear the opinion of our counsel. I would like to hear the opinion of the various committee members. Frankly, I am a little concerned because what I have heard and listened to over the past several months about the economic dangers that we are facing in this time of unusual inflation, soaring interest rates and uncertainties, sounds a warning bell to me. If we move the lid up a little higher, are we running into a danger that perhaps we can't foretell at this particular time and that perhaps the only justification for it is that they have done it in Ottawa?

I am not always impressed by a particular statute that comes forward from the House of Commons. I ask the minister to carefully consider the possibility of having some better form and forum of public discussion. It's not going to be the kind of public discussion that perhaps would be aroused by a rent control bill. It's going to be a kind of discussion that would involve people who are in the financial business in the Province of Ontario. It would involve the senior officials of the minister's department, who would be able to come and tell us fully and frankly what exactly they think about this.

In so saying, I am not saying that they haven't been completely open and frank with the minister, but I am concerned about this being here when we have had the same topic of discussion before, as I personally have detected no great feeling that the incidence of investment should be moved from 20 per cent to 25 per cent.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: I really didn't get much of an answer on that first type of corporation, with the loan corporations being able to borrow only on debentures and the trust corporations not being able to borrow on debentures and not being able to borrow by way of deposits but only by way of GIFs. You are carving out a kind of corporation here which is distinct from the two. I just wonder what the specific purpose of it was. Was it just a case that there are these kinds of corporations, probably as subsidiaries to more major corporations, that do not accept deposits, or issue debentures? It does neither of these things. It is more like a trust company, in other words. But if it issues debentures, then it would be a loan corporation. It seems this type of corporation falls somewhere between the stools.

However, that is a minor matter. Section 2 will bring us more to what I want under this head as to a very particular kind of animal that you are trying to erect in the statute. On the subordinate notes, Mr. Chairman, this is only the definition section. I think we can cover the waterfront at this stage—it occurs in its principal part later on in the statute—by simply doing it now. The standing Senate committee on banking, trade and commerce heard evidence in Ottawa on Oct. 23 this year from Mr. R. Humphreys, superintendent of the department of insurance for the federal government, who has his counterpart here in Ontario. Mr. Humphreys, by the way, has made dissertations to our committee. He went before the Senate committee to make a thorough presentation for the various motivations and considerations that went into the constitution of their statute, which is almos identical to ours. That is very clear and very informative reading. It is almost exciting in the way in which the thing is presented.

The problem is that a trust corporation has a certain basic capital position, let's say $1 million, which is the least sum that it can put in. Then it is tied as to its deposits in borrowing powers to some kind of ratio against that base and over the years the surplus accumulated into the base. Over the years it has gone from two different ratios that you can take in guaranteed trust funds. It used to be five times the initial base, then 10 times and then it jumped. I have the various years; they are all down here.

Humphreys says the ratios have changed from time to time over the years. They were raised to 10 times since 1958. Then they went up to 15 times in 1965 and 20 times in 1970. Just to dwell over that for a moment, he says that he would become personally a little troubled—maybe more than a little—if it went to 30. But he said in the old days, when the ratios were first set up, everyone thought that 12½ times would be just about as much as you could possibly go, leaving solidity in there for the guaranteed trust funds in the situation. That has been expanded, and now the situation has been reached that many trust corporations, as I understand it, have reached their ceilings.

As I understand the situation, if they have reached their ceilings of, say, 20 times their capital and surplus, the retained earnings, then they can't take any more deposits in. They are finished. Some kind of elasticity is going to have to be worked into the statute. The purpose of the subordinate notes, although they form part of whatever the ratio may be, is to alleviate the guaranteed demand upon the corporation, so that the sophisticated type of investor, prepared to put his money on on this basis, while he will come before the shareholders, comes before nobody else. He is sticking his neck out to a very considerable extent.

You could say why doesn't the trust company expand its financial base by issuing more shares? That is not always feasible or possible. It could get a higher ratio by doing that. Sometimes they do by absorbing other trust corporations and that kind of thing and putting them into their business. I understand too that this is going to be nicely circumscribed in your legislation. Not everybody is going to be given that range up above 20. I think the feeling is that the 20 ratio, one

to 20, is pretty ticklish right at that particular point.

I made a mistake the other day. You are not working on quite the same basis in this type of corporation as we are with banking facilities where the ratios are different. Banking is a different bird. It's a different bird because, while there are trust and agency relationships involved in banking too, specifically trust relationships, GIF certificates—which have this particular element of trusteeship worked into them—are so different that it has been found necessary to make very circumscribed ratios; to have them written precisely into the heart of the legislation.

I was almost inclined to read from page 117 of the Senate committee's report as to precisely how this works with respect to the sums involved. And, well, for those who might be interested, I think it would be very valuable. It says:

> The effect of these ratios can perhaps best be illustrated by a numerical example. If we imagine a trust company starting off with $1 million in capital and surplus, the shareholders pay in $1 million in capital and contributed surplus. So, the initial balance sheet shows the company with assets, invested funds of $1 million. While on the liability side we have capital and surplus at $1 million.
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> Then to start with, the company borrows up to its initial power, which is 12½ times. They would then accept $12.5 million from the public and its new balance sheet would show assets of $13.5 million: the $1 million it already has, plus the $12.5 million that it has borrowed. While on the liability side, we would have $12.5 in liabilities to the public and $1 million of capital and surplus.

So such a company could suffer losses on its assets portfolio by way of mismanagement, bad investment, a run on the trust company, in the sense that withdrawals are made in such a way as to force the sale of assets below the market price or below what the price at least was fixed in the books of the corporation. The house of cards is falling apart. The estimated figures making up the 20 per cent; the value in terms of the basic capital is no longer there. Such a company could suffer losses in its assets portfolio, up to $1 million, and still be able to meet its full obligations to the public.

Now, the loss of $1 million out of a portfolio of $13.5 million will represent a loss of 7.8 per cent. So you might say that such a company has a safety margin, capital and surplus of 7.8 per cent of the asset portfolio. If that company receives approval to go up to 20 times, its balance sheet would show that on the assets side at $21 million—the $1 million that is already there, plus the other $20 million that they can take in now—and on the liability side $20 million of obligations to the public and $1 million in capital and assets. Such a company could suffer a loss in its assets portfolio of $1 million and still have enough to meet its obligation to the public. A loss of $1 million out of $21 million is about 4.8 per cent. So a company that goes to 20 times has a safety margin of 4.8 per cent.

I have dwelt on this to some extent because sometimes one talks about the multiple, that is, the guaranteed trust funds were so many times capital surplus, or someone talks about the safety margin of capital surplus.

Then the report goes on at a later point where he is describing the subordinate debentures. He says that that alters, because a certain portion—a twenty-first or $238,000 in the example that he uses—in terms of this particular kind of liability permits them to go up to a ratio of 25, which is $25 million in this example, and still retain the same basic security—the 4.8 margin that would be a safeguard for the guaranteed investment funds.

Now, this is all very complicated, Mr. Chairman. It's all very tricky stuff and it takes a certain amount of time to understand. A problem, as it was brought up by Senator Jacques Flynn was that there is no ceiling on the borrowing at all. He said there is no ceiling with regard to the ratio. He indicates that he himself is a director of a provincial trust corporation and it may be established, at any rate, by regulations of the ministry. The chairman says, "You mean the borrowing?" And Flynn says, "The borrowing, yes." And Mr. Humphreys comes in and says, "That is correct, Senator. There would be no statutory ceiling on the ratio."

That being the case, I think the same is true about your legislation, that meeting the particular needs with respect to liquidity, with respect to the massive base of the investment portfolio that different trust corporations have, and to the sense of security the various types of trust corporations breed in the various people that invest in GIF certificates in such corporations, to meet the nature of the investment portfolio itself, as to how quickly it can be liquidated, the range and type of stock holdings that it has and its bond position, all these things would make some kind of discretion, not just to the

superintendent of insurance—bless his delightful heart; we had a great time in England together—but coming up through the minister and the Lieutenant Governor in Council, which I take to mean that some of your cabinet colleagues just might, on some remote occasion question you when you want to put that thing through cabinet.

In other words, they'd be sufficiently alive to know just how fundamentally important to the security life of trust corporations in this province such established ratio above the 20 per cent would be, and even in many instances to the 20 per cent. A flexibility has to be put into this picture on the one side of the fence, and the expansion of their money supply must be somehow accomplished on the other, in order to keep that mortgage market flowing.

If the life of trade in the mortgage market anywhere is the abundance of funds—and at the present time demand far outstrips supply, and the artificial restrictions that have been placed on the corporations have delimited the supply: quite foolishly, in my opinion—that being the case, then one has to be fundamentally in favour of the legislation and, to come back to the point at issue, of the support type of notes, if anybody is foolish enough to buy them.

Mr. Chairman: The hon. minister.

Hon. Mr. Clement: Mr. Chairman, just before I deal with the observations offered by the member for Downsview and the member for Lakeshore, while sitting here listening I reflected on something I had said earlier. I think I said—and I want to clarify it if I did—that under the present Act the trust companies must invest 50 per cent of their guaranteed funds in mortgages. That is not correct. They must invest 50 per cent of their guaranteed investment funds in approved trustee investments. I just want to make that clear.

As I indicated earlier, some 75 to 85 per cent of trust company investments today are in residential mortgages and commercial mortgages; mainly residential, as I understand it.

The member for Downsview was concerned about the exceeding of the limits. Each trust company can go to 12½ times as of right under the statute and there is no automatic approval to take them even up to the 20. In order to get to the 20 and have that approval given by the Lieutenant Governor in Council they must satisfy—

Mr. Singer: Start at four times.

Hon. Mr. Clement: I beg your pardon?

Mr. E. R. Good (Waterloo North): Start at four times.

Hon. Mr. Clement: Four times for loan companies 12½ for trust. There is a difference between the two.

They don't automatically get this on application; that certain documents are signed and forms filled in and they are automatically signed. Nor should they, and I don't think anybody here is suggesting that. Because they have to satisfy the registrar that their capital and investment portfolio is such that they are within those safety criteria that the ministry has devised. The same thing would apply on the increase from 20 to 25 per cent. They would have to satisfy the ministry that certain conditions would be met; that the subordinated notes would not all fall due at the same time, that the unimpaired capital of the trust company would be such to meet the subordinated notes. These criteria would have to be met.

When you say that the bubble could be breaking, or that it could be getting too large, may I again reiterate that 75 to 85 per cent of the investments are in real estate mortgages. Therefore I say to you—and I am not trying to be slick or offhanded about it—that the investment portfolio of these trust companies would be as good as the stability of the real estate market and I think that's something we cannot overlook. Now the banks are already working on a ratio of 30—and the member for Lakeshore is astute enough to recognize that there was some difference in our thinking last week when we discussed the principle of the bill.

The banks are already at 30 and I don't think anyone is suggesting that the banks are in any difficulty in this country today because of the very severe monitoring that is provided to them—and properly so—by the federal government and the Bank of Canada, which has the general responsibility I believe, of supervising the chartered banks of this country.

The member for Downsview mentioned that the select committee is looking into this very issue. This was touched on in our general discussion last week by the member for Lakeshore and by the member for York North (Mr. W. Hodgson), who is the chairman of that particular committee. If you will read Hansard, you will observe my comments; perhaps you already have.

I stressed to the House on at least two occasions that evening that this was no

attempt by my ministry to usurp the very, very important function that that particular committee is performing at this particular time. I happen to have great sympathy for that committee and I happen to have great respect for the recommendations that have been made in the past. I am not identifying myself with them because I happen to have served on that committee, but I recognize the contribution that that committee has made in certain facets of our commercial life in this province.

However, the chairman of that committee in his capacity as a private member the other night did in his remarks, as I recall them, say that perhaps it might be later on next spring before certain recommendations were made. I am concerned that if that occurred and the House was not sitting at that time, or the legislative programme was such that it couldn't be reached, we could well be looking into late next fall or mid-autumn before we could bring about the amendments that I propose to introduce now.

I have not discussed this with any member of the select committee—I am not anticipating what your recommendations might be and I haven't got that right; it would be presumptious of me to think so. But I recognize a certain necessity—I hate to use the word urgency—for having this available to the trust companies of this province within the very near future.

Mr. Singer: Could you tell us the reasons for that?

Hon. Mr. Clement: Yes, I will tell you the reasons for that: because some of them have deposits and so on right up to capacity and can put no further money out. Their alternative is to say: "We are refusing any further deposits. We are refusing to accept money for guaranteed investment certificate purposes because we are up to the 20 times—our ratio—and we can't put any more out."

You see, it's not like buying shares. If people came in and bought stocks in the company that's no problem—and the member for Downsview recognizes this—because then there's 20 times or whatever might be available. But for one reason or another, and I am not dealing with that here today, they are not able to compete and therefore if they shut their doors to accepting deposits, I am confident that the public of this province will wonder just what's going on. "What is the matter with this trust company that it won't take my $5,000 or my $1,000 or my $100? It won't even take it for deposit. Why won't they do that? What's the matter with the financial stability of this province?" And down the street the banks are taking up to 30 times. This, Mr. Chairman, just doesn't make sense.

Assuming for a moment this House approved this legislation, and assuming for a moment that the trust companies went up to the 25 ratio, that by no stretch of the imagination is the end of the world, because they are using that money primarily for the mortgage market. It not only satisfies the requirements of the person who wants to borrow by way of mortgage, but it also assists those who have already invested in trust companies, by seeing their company grow, and a multitude of purposes would be served.

No one is going to get any increase, even over the 12½ per cent, without meeting the very, very careful criteria laid down prior to their making application to the Lieutenant Governor in Council. It's very difficult.

I spoke to the president of a trust company the other day; I just happened to run into him at a social gathering. He said: "It's extremely difficult when someone comes to us who has been a long-time depositor, an ideal customer, and says, 'I'm proposing to build a new home, I wouldn't deal anywhere but with you and I'd like to borrow some money from you.' They say, 'I'm sorry. We can't lend it to you.' " Yet he can go across the street to a chartered bank, or to a competitor trust company that hasn't reached the 20 per cent ratio or is just below it, and he can obtain those funds.

It's so these various requirements can be met that the legislation is brought forward to the House at this time. I feel—and I put this to you very sincerely—that it is discriminatory against the trust company industry in this province if we don't afford them this type of thing when their competitors in the banking business are working at the 30 ratio factor.

I can assure this House that no one is going to get an increase approved by the Lieutenant Governor in Council or anyone else unless the very stringent criteria are met. I think we're all really saying the same thing in a different way, that we're genuinely concerned to protect the depositor, to protect the public, and we don't want to see any failure of the trust industry.

I submit, with the greatest of respect, Mr. Chairman, that this is responsible legislation and that it is required because of the financial mood of the times. We are not trying to anticipate any report that the select committee which now is delving into matters

pertaining to trust companies. We're not trying to forecast what they're going to say. Their recommendation may well be somewhat different; if it is, I can tell you, if I'm still minister, we will look at it very carefully, as we have other recommendations of that committee. But I submit that this legislation is responsible and it is required at this particular time.

Mr. Chairman: The hon. member for Waterloo North.

Mr. Good: Yes, there are a few questions I'd like to ask regarding this, since it appears we're dealing with the whole bill almost in one debate. The point that seems to be under discussion mainly is the extension of the borrowing limits of the trust and loan companies beyond 20 times the unimpaired capital reserves. We discussed this in the select committee at considerable length. First of all, when I read section 90 of the Act dealing with trust companies, by law they are limited to four times their unimpaired capital and reserves, and only at the discretion of and through the Lientenant Governor in Council may the registrar then extend the limits up to a maximum of 20 times unimpaired capital and reserves.

Certainly it is common knowledge that many of the larger trust companies are bumping the ceilings and have been bumping the ceilings. But it has been admitted by them that the reason they are bumping their ceilings is because of the common stock component of their reserves and their capitalization. As I recall the discussion, as the common stocks were being devalued, for every $1 million of devaluation the trust companies were losing $20 million worth of borrowing power, with the result that the trust companies were in fact losing hundreds of millions of dollars worth of borrowing capacity in a short period of time and, in fact, had to send notices out to their branches across the province telling them that they could no longer take in deposits or give out loans because they had bumped the ceilings.

My understanding Mr. Chairman, is that this is a situation related to the depressed stock market at the present time. If these ceilings are extended and there is a resurgence in the stock market, which I'm sure many of you investors are hoping there is, what then will be the direct result on the expansion of these trust companies? Will some suddenly become overexpanded if the multiple is raised and they suddenly find their stock values coming back up to what one would consider normal values in relation to their present depressed features?

We must also consider what will be the effect of the Canada Deposit Insurance Corp. on these certificates and the guarantees which are made for deposits. As the deposits increase, of course, they will all be covered by the Canada Deposit Insurance Corp. and I don't think there has been any actual experience or payment out by the deposit insurance corporation for default of payment or anybody going belly up.

So there are two things here. We all like to think that every time you put money in a trust company or a bank it is covered, up to $20,000 presently, under the deposit insurance corporation as it was set up, I think, some 10 years ago. I just want to know if the registrar, in whom I have a great deal of faith, is satisfied that this has to be done on a temporary basis to give these companies room to work. If the financial base is suddenly expanded by a resurgent stock market, will there be overexpansion in some of these smaller companies which are now struggling to have room to work?

That is a concern, I think, of the committee. It is something that we had not resolved at the time. We were told of the problem, that many companies are bumping the ceiling. They said it is mainly due to a depressed stock market and the devaluation of their reserves, and I think there are other ways that they can raise money. I think some of them are trying it through the issue of preferred stock. Whether it is satisfactory or not I don't know. But I hope the minister is conversant with or has studied all the implications of this. Just because the big boys of the trust companies say they have to have room to work, maybe there are other means that in the final analysis would result in more stability within the economy.

Remember, Mr. Chairman, through you to the minister, that everyone in the province is very much concerned about the stability of the financial institutions. They themselves are much concerned about it, and they expressed concern to us in committee. They keep telling us that there should be some restrictions on credit. They say they know it is not politically palatable and that nobody could do it, but they say out there there is an abyss into which some day we might fall. They are hoping it will never happen—we all hope it fill never happen—but I surely hope that this thing has the complete approval of and has been looked into well by the registrar and his financial assistants and is not just coming as a request from the industry itself.

Mr. Chairman: Before the minister replies, I assume that all sections up to 12 have carried?

Mr. Singer: What gave you that assumption?

Sections 1 to 12, inclusive, agreed to.

Mr. Chairman: The hon. minister.

Hon. Mr. Clement: Mr. Chairman, I would just like to speak for a moment in reply to the questions raised by the member for Waterloo North.

Firstly, I am advised that the percentage of common stocks owned by the various trust companies right now is almost at an all-time low.

Mr. Good: Bonds, I am sorry.

Hon. Mr. Clement: I beg your pardon?

Mr. Good: When I referred to their equity in common stocks I should have been referring to their bond equity, which is a vital part of their reserves, and which is greatly depressed.

Hon. Mr. Clement: I can only give the hon. member the assurance that has been given me insofar as the diligence and responsibility demonstrated by my staff in the superintendent's office, in the person of Mr. Grundy and the deputy superintendent, Mr. Thompson, both of whom are known to the member for Waterloo North, have been exercised in a very positive way in order to satisfy themselves that in fact a need exists. The whole matter, really, in a nutshell, is that the trust companies, which have reached their limit right now, just find, for reasons I touched on earlier, that they cannot raise any additional equity to permit the release of additional funds. They can't borrow from the public on their equity stock because of the depressed situation involving the stock market at the present time. If the market improves, they can increase their capital by issuing more stock and therefore they will not have to issue subordinate notes. This would be a most healthy condition.

May I point out that while the legislation will allow them, under certain conditions, to go to the 25 times, not all times companies have to or will. There may be those that make certain business judgements and will remain where they are; there may be some that are under the 20 now and will wait until they touch the 20 to see what the market requirements are. There may be those who want to go up to 25 but in practice perhaps will only go to 22. These are decisions that will have to be made internally by the directors of each individual trust company.

I am not taking this legislation lightly. As all members have pointed out, it is very significant and I think we should be very much aware of that. I think the debate the other night and here again today, in terms of those members of the House who haven't had the opportunity perhaps to be identified with this particular select committee on company law, has given them the opportunity to appreciate it and to recognize that this is serious legislation.

Section 15 agreed to.

Mr. Chairman: Is there any further comment on any other section in the bill? Shall the bill be reported?

Bill 152 reported.

Mr. Singer: You got away easily, didn't you?

Hon. Mr. Clement: I appreciate it. You are a very bright fellow—and I know because you told me.

Mr. Stokes: And if you don't believe it, just ask him.

Hon. Mr. White moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with a certain amendment and one bill without amendment and asks for leave to sit again.

Report agreed to.

MUNICIPAL ACT

Hon. Mr. White moves second reading of Bill 144, An Act to amend the Municipal Act.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it is interesting to see these amendments being brought forward, particularly at a time that will regularize the matters of election that are going to be held across the province on Dec. 2. We are interested to note the matter of leave of absence which is being required concerning employees of municipalities or a local board in order to run for office in their area. It is strange to us, though, that

this kind of requirement is not required of those who seek provincial office, in that the leave of absence provision ordinarily doesn't come into effect.

The matter of regularizing the situation in Oxford county is something which results from the earlier Oxford bill and was apparently not considered at that time, so that too puts the whole matter in perspective.

We are interested in one point with respect to the matters raised in subsection 2, concerning those who propose to be candidates for office who require leave of absence without pay for a period. We are wondering just how the minister is going to develop this matter of leave, because the leave which is brought forward, as I understand it, is no longer than 30 days before nomination day. The leave has to be granted, but it would appear that there are going to be some persons who are running for office and who are at least going to be put into a rather awkward situation if, for any reason, that leave may be withheld.

It's noted that this requirement for leave extends to employees of any council in the regional or metropolitan municipalities being a candidate for any council in that region or metro municipality. This would mean, of course, in our situation for example, that an employee of the region of Waterloo could not run to become an alderman in the city of Kitchener without such leave of absence, and, of course, the bill further provides, as you are aware, Mr. Speaker, that if such an employee is elected he will forthwith resign.

I think it should be noted that these various provisions are going to come into effect retroactively for candidates in the present elections which are now being contested, as I have noted, and that, hopefully, persons who are successful in seeking election are not going to be compromised by the failure of the statute.

As I recall, there was a commitment made that it would, of course, be retroactive and we're pleased to see it at this time. We will support the bill, Mr. Speaker.

Mr. Speaker: The member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Thank you very much, Mr. Speaker, I just have a couple of comments about the bill. Obviously, it's welcome that the uncertainty which existed is going to be sorted out through the course of the bill, insofar as it relates to school board employees. I wonder, too, about the differences in treatment between people who work for a school board and run for another school board and people who work for one municipality and run for positions in other municipalities. As I recall, what the minister is bringing in is a situation where an employee of one lower-tier municipality cannot go and be a member of another municipality, whether or not he goes into the upper tier. We would have welcomed a situation in which political rights were guaranteed for employees of municipalities, but in fact that is not the case here, as far as I can see it. I'm open to clarification from the minister, but apart from allowing people who are employees of school boards to run, it seems to us that he could have gone far further in giving political rights to municipal employees who wish to run for office.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. minister.

Hon. J. White (Treasurer and Minister Intergovernmental Affairs: This bill affects the government statement of several weeks ago, which in itself resulted from comments made by the solicitor for York region, in which he expressed the view that there was a deficiency in the existing legislation and that teachers were not able to run for municipal council.

The law officers of the Crown accepted that possibility, while some at least did hold to the original view that the legislation was in no way defective. At any rate, to be on the safe side, the government did make a statement a few weeks ago and this bill is the consequence of that decision. The intention of the bill is to remove any doubt about the right of employees of school boards to run for municipal council. At the same time, it does clarify one or two other sections of the Act, and certain of these provisions are made retroactive to January, 1973.

The hon. members have drawn a couple of matters to my attention. First of all, that a teacher running for municipal council would have to take leave, and a comparison was drawn between that and running for the provincial Legislature. I think a better analogy would be a provincial public servant running for the provincial Legislature, in which case the provision is identical. In other words, the provincial civil servant in these circumstances would have to take a leave before official nominating day and, if elected, would have to vacate his public service role.

So I think the comparison offered by the member for Kitchener is not valid, and that

we have indeed provided for the same kind of contraint at the municipal level as has existed at the provincial level.

Insofar as a municipality withholding leave in certain circumstances is concerned, one can hardly envisage this being the case. I think it has not been a problem. If ii were to become a problem then, of course, we would have to consider a further amendment.

The reason that the rules are somewhat different in the regions is because of the conviction, which I share, that the area municipalities in a region have certain coincident interests and, therefore, conflicts of interest can arise because of this coincidentality. So, if a number of municipalities are enjoined in a region, I think it would not be fitting for the employee of one municipality council to be on the council of a neighbouring area municipality. It hink we are on firm ground there.

Now, insofar as the school boards in a region are concerned, this I must confess is not in this legislation; it is not part of my responsibility. I think it might be attended to by asking the Minister of Education (Mr. Wells), during question period, why they haven't got the same constraint as we have here in this Municipal Act. I'm quite prepared to deal with the reasoning in this Act, but I cannot speak for the Minister of Education's legislation.

Mr. Cassidy: I thought this was meant to be an integrated and co-ordinated government. I thought they talked to each other.

Hon. Mr. White: It must be a difficult policy.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading.

Agreed.

MOOSONEE DEVELOPMENT AREA BOARD ACT

Hon. Mr. White moves second reading of Bill 129. An Act to amend the Moosonee Development Area Board Act.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, this bill would appear to be rather minor, but in fact it has a matter of principle that is important to us. We note that the number of members of the Moosonee Development Area Board are being increased from five to seven, but regrettably we do not see that these persons are being elected. We think the appointments to this board have been of value in the past, but in the circumstances in which we find ourselves it is time now that the members of the board be elected by the people they serve.

Mr. J. E. Stokes (Thunder Bay): That was something the Treasurer promised to look into.

Mr. Cassidy: It is an undemocratic government.

Mr. Breithaupt: I think this is a regrettable step—not the matter of increasing the numbers because, surely, with an increased population, a broader group of persons should be canvassed and hopefully be representative on the board as it does its work. But it's not simply the matter of the numbers. As a result, with regret we will vote against the bill, because we think that the persons who are serving in that area should be elected by their peers.

The member for Thunder Bay has commented that the hon. Treasurer was going to look into that matter, and I would appreciate hearing his comments before the vote is called.

Mr. Speaker: Any further comments on this bill.

The member for Ottawa Centre.

Mr. Cassidy: Yes, I would like to join in the comments of the speaker for the opposition, Mr. Speaker; specifically, that the expansion is obviously unacceptable. The fact that the government isn't taking this opportunity to provide for elections to the Moosonee Development Area Board doesn't make any sense to us at all.

I have to confess that I've never been to Moosonee. I'm not sure whether the minister has or not. I'm not even sure at what stage of development they are. They may not be ready at this stage to become a self-governing municipality. But it seems to me totally outrageous in the 1970s that there should not be at least a majority of elected people on this particular board. I think the minister should hang on his anti-democratic principles.

Mr. Speaker: The member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker. I feel compelled to get up and speak on behalf

of the people of Moosonee with the implementation of this bill. I have had many, many experiences in the north since I have had the privilege of representing a riding in northern Ontario, inasmuch as I have had at least five and as many as seven improvement district boards to represent. Now I am not saying that some of them don't work well; in fact I can think of one, which will remain nameless, where I have had only one difference of opinion, and that was with regard to the operation of snowmobiles and snowmobile bylaws within that particular municipality.

I think it's inevitable that at some time they all will aspire to what I refer to as an open form of government. We have had several conversions, and the minister has two on his desk right now that he has promised to look into and bring in minor amendments to section 10, I believe it is, of the Municipal Act that will allow them to hold open elections and become an open municipality, where elected members are much more responsible to the electors and much more responsive to the electors.

I can readily understand that where a town springs up overnight, where you have few people who can identify and speak for the total community, where you have a community where there isn't that kind of cohesiveness and where there isn't that kind of expertise and that kind of sort of identifying with the community, then of necessity you would have to have a sort of trusteeship or board where people are appointed to look after local affairs, but I don't see this happening in the case of Moosonee.

Moosonee is a very closely knit community. It's a community that is somewhat isolated, with the nearest centre of population being well over 100 miles to the south, down at Cochrane. They do have a sense of identity, a real sense of community, a real sense of purpose. In the last four or five years, when this government has intervened and has set up a good educational system there, and as a result of efforts by the Ontario Northland Transportation Commission, the Ministry of Community and Social Services, and the Ministry of Health, in co-operation with the Department of National Health and Welfare at the federal level, I think it's accurate to say that the people of Moosonee have reached the point in their history where they would like to have that kind of responsive and responsible government.

Unless there is some overriding consideration that I am not aware of, I think that the minister should give very, very serious consideration to allowing those people to participate and to establish to a much greater extent than is possible at the present time some sense of governing over their future. I happen to think that the days of improvement boards and appointees, by this ministry or any other ministry, for the affairs of a local community are long since gone.

I don't know of any reason why the minister should feel inhibited in bringing in the proper legislation or at least just giving them the authority. Maybe they aren't aware of the fact that a petition signed by 75 ratepayers is all that is required, and I'd like to bring to the attention of the minister that that kind of peition, and a hearing held, is really all that's required to seek erection into a township or some form of municipal organization that is much more open than the concept embodied in an appointed board or an improvement district board. I think if you allow these people to do that, a lot of the problems that are confronting you at the present time would just disappear and vanish into thin air.

People like to feel they have some degree of influence over their future and their own destiny. If you get them co-operating, and make them responsible for a lot of the things that the government has to see to with its various ministerial and agency structures at the present time, I think a lot of the problems that the people in Moosonee, and of necessity the treasurer's people, face on a day-to-day basis, would vanish into thin air. There are very few communities, certainly of the age and maturity of a town like Moosonee, that couldn't accept this responsibility. If they were made aware that it was possible for them to do so, I think they would jump at the opportunity.

I think not only would it help the people right in the community of Moosonee, but they have a real affinity with people up along the coast, at Fort Albany and Attawapiskat, and even over on the east side of James Bay, on the Quebec side, in an area like St. George and places like that. It would serve as sort of a model to those people so they too, at some time in the future, might take a pattern from it and accept a much larger degree of responsibility for their own future.

I don't think that I am asking for anything unreasonable; I think the time has long since gone when this ministry, or any other ministry, should give an appointment to a board and say, "Okay, go to it. You are the trustees, just manage it as you see fit"—except

on the odd intervention from the ministry or the Ontario Municipal Board.

I think, in view of commitments made by the minister, expressing his displeasure in the past with appointed boards for municipal purposes, I would have hoped that he would have brought in that authority and embodied it right in this bill.

Mr. Speaker: Any other hon. member wish to speak? The hon. minister.

Hon. Mr. White: I am glad there is no objection to increasing the size of the board, which is in keeping with the wishes of the people concerned. There seems to be some small misunderstanding about the nature of these appointments.

I would like to deal with this in two sections. First of all, the additional two members of the board—if the Legislature passes this bill—are asked to be elected at a town meeting under the auspices of the board. This is a request which I have put to the board and I have no doubt they will accede.

The second phase has to do with practice in the past in keeping with my new request. It is perfectly true that I have appointed a number of people of the board. Those names came to me, however, as a result of an election in a town meeting. On not one single occasion have we departed from the order in which the nominees were elected by their peers in the town meeting in the community centre of Moosonee. More than that, the person getting the largest number of votes—

Mr. Stokes: That is giving them a little bit of democracy. That is what the Treasurer is doing.

Hon. Mr. White: No, just a minute, let's not be too sure that this isn't pretty good right now. More than that, the person polling the largest number of votes has, during my experience, always been named the chairman. Why is it then that we don't go to a complete election?

There are two large racial groups more or less equally balanced and getting along well. I, myself, have been in Moosonee several times—three or four times—and was there earlier this year. I participated in a town meeting and heard the views from the citizens and from the trustee concerning the needs and priorities of Moosonee, as those needs and priorities affected the provincial expenditures. We have a good mixture of these races on the board. The reason that we have retained, to date, the power to make the appointments is for fear a town meeting might be overwhelmed by one of the two large groups, thereby electing five and now seven from one of the groups without adequate representation from the other group.

My officials, who are intimately informed about the sociology of the area and who know the personnel very well in a way that I do not, think that the matter should not be changed at the present time. That, coupled with the fact that I have no reason to think there is any enthusiasm for such a change, leads me to leave things as they are for the moment.

But let me reiterate, Mr. Speaker, there is an election by secret ballot in the town hall. In all of my experience, the people polling the largest number of votes have become members of the board and the person polling the largest number of votes has been appointed by me as chairman. If there is some enthusiasm in the area for a change in this practice, I am quite prepared to make such a change.

Mr. Stokes: Could I ask for a little bit of clarification? I wasn't aware that this was going on in Moosonee, although I have participated in—I haven't presided over—a similar situation in another area where there was an improvement district board, and now they have sought a change in the Act in order to provide for full and open elections. Is it not true, Mr. Speaker, that once they get on the board they are there at the whim of the minister? Nobody can say, "We are dissatisfied with the kind of representation we are getting." This is presumably a lifetime appointment. It isn't an exercise that they engage in every one or two years, as is the case with other open communities. Once they are there they need do no more than curry the minister's favour, or the favour of the other members on the board.

Mr. Speaker: That is still part of the question, I presume?

Mr. Stokes: Yes, it is.

Hon. Mr. White: I really do believe they are appointed for a term, but I will have to double check that. I don't think they are appointed ad infinitum. I think there is a periodic election, as I have described that election.

Mr. Stokes: Except there is nothing in the legislation to cover it.

Hon. Mr. White: Now I would like to double check and make sure that the appointments are for a term. The very fact that I have been called upon to make a number of

such appointments is evidence that it is for a term.

Mr. Breithaupt: Mr. Speaker, if I may inquire as to that detail, would it be possible for the minister to advise us how long he expects this sort of guided democracy to continue, or if he is unable to make any judgement in that matter, perhaps he could let us know that too?

Hon. Mr. White: Sir, I am prepared to do it whenever the people there want me to do it. But there is a safeguard now against one of the two large groups completely dominating that board. It may be that this is their wish. I have no reason to think it isn't.

Mr. Stokes: Did the people of Moose Factory get a vote too?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

ONTARIO MUNICIPAL IMPROVEMENT CORP. ACT

Hon. Mr. White moves second reading of Bill 130, An Act to amend the Ontario Municipal Improvement Corp. Act.

Mr. Breithaupt: Mr. Speaker, it is interesting to note this amendment to the bill, which is going to allow the purchase of municipal debentures where certain stadia are being constructed in municipalities of 100,000 or more in population.

Of course, the purchase of these debentures is subject to approval by the Lieutenant Governor in Council and, in fact, the issuance of the debentures obviously requires approval by the Ontario Municipal Board in the first place. However, if those two steps are carried through, the large communities will have the ability to have their securities purchased in order to complete these projects.

I suppose that the major reason for this amendment we will eventually see within a mile or so of where we now are, but it could be that not only developments along the lakeshore perhaps, in the Toronto area, but in other communities, are anticipated and the financing of them is going to be at least assisted by the present government.

There are, of course, many moneys which come into the hands of the present government, either through the pension funds of the municipal employees, or the teachers, or the civil servants, or, of course, through the funds which are available through other sources, such as the Province of Ontario Savings Office. I would expect that these funds are going to be invested at what are presumably attractive terms of interest so that the benefits from them will not only assist those persons who have invested in pension funds but also will be useful to provide this kind of facility within the communities.

I would appreciate hearing from the minister as to why this 100,000-population figure was used and how he foresees other communities that may wish to establish this kind of development being able to deal with the project. Are other communities of less than 100,000 simply going to be told that they are not able to go into this kind of a project or are there going to be any exceptions planned, especially perhaps as newly developing areas might wish to use this kind of a facility as a spur to future growth?

Mr. Speaker: Does any other hon. member wish to speak to this? I believe the hon. member for Ottawa Centre wants to make some comments. We'll wait for him to get to his seat.

Mr. Cassidy: I was just involved in some actionary research, Mr. Speaker, and I apologize for passing in front of the mace.

I must express concern about this Act and about this bill and the perversion of the purpose of the Ontario Municipal Improvement Corp. Act that is involved in the amendment which has been proposed before us today. That is really what it is, Mr. Speaker. The Ontario Municipal Improvement Corp. is a rather neglected and unknown body whose purposes are to provide a means of efficient debenturing for small municipalities in the province and to provide debenture support for essential projects by municipalities with a population of over 20,000. For that purpose is seems to me that it's a very desirable body. If anything, it should probably be expanding its activities rather than reducing its activities in those two particular fields.

Perhaps I can read into the record what its purposes are. It can purchase from any municipality in Ontario with a population of less than 20,000 people debentures that are issued by that municipality for any municipal purpose. As the minister knows, this is to stop the kind of practice one has in Quebec where the little municipalities have to pay very high rates of interest, a percentage point, 1½ points or maybe two percentage points above the rates paid by the

major municipalities in order to float their loans. It's in order to provide reasonable kinds of terms for loans for municipal purposes for the small municipalities.

The second object of the corporation at present is to purchase from any municipality with a population of 20,000 or more debentures that are issued by it for waterworks, water supply distribution systems, sewage and works for the incineration of garbage, refuse and waste and drainage works. These are pretty basic municipal services, Mr. Speaker. In fact it is notable that when they came down to define those things that were absolutely essential for municipalities of over 20,000 and for which they should have access to this Municipal Improvement Corp., they didn't even include such basic elements of municipal housekeeping as streets,, street reconstruction or sidewalks. The drafters of the Act originally, the legislators, said that water, sewage, garbage and drainage were such essential services for health and environmental quality that, where necessary, municipalities of over 20,000 should have access to the Municipal Improvement Corp. for those funds.

What happens now? We get talk by Mel Lastman, by Paul Godfrey, and various other people, about a domed stadium at inordinate cost up in Downsview or down on the Lakeshore or other places like that. Fortunately reason prevails and, fortunately, we are spared the possibility here in Ontario of the $100-million investment in the kind of grandiose sports palace that has been built, for example, in New Orleans.

What we get instead, as the government strives to steer away from a really grandiose investment, is a commitment to the Toronto Argonaut football team which I believe is still owned by the Bassetts—I am not sure—that there will be a new stadium down there and then a commitment to people who want major league baseball in Toronto that the new stadium will be suited not just for football but also for a major league baseball team. We find that the Municipal Improvement Corp., which is funnelling pension and other types of government funds into some pretty necessary services for smaller municipalities, suddenly gets loaded with the responsibility for lending money for the Argonauts down at the CNE Stadium or for the Ottawa Rough Riders if the city of Ottawa happens to take advantage of this bill for the current expansion of Lansdowne Park in Ottawa.

It just seems to me that at a time when capital is short, at a time when there are some very pressing needs in our major cities, the pension funds and the other types of savings which are amassed by the province and the savings that go into the Province of Ontario Savings Bank should be meted out with a better sense of priority than one that says you put your money into sports stadiums.

From what I have heard, the people who are engaged in major league sports now are capable in certain instances of paying salaries of up to a quarter of a million dollars a year to their star athletes; very high kinds of salaries are being paid. The ticket prices being charged, I gather, are going up to $8, $9 and even $12 a game, which seems pretty high and obviously is related, among other things, to the salaries they are paying to athletes and to the profits that may be made to professional sport. It doesn't sound like a sector of society that is grossly in need of a guaranteed loan system from the provincial government.

I would much rather see these funds—whatever funds are involved with the CNE stadium or any other stadium—dedicated in the field of sport to amateur sport, to facilities that were available to kids in Cabbagetown, in Dalhousie ward in Ottawa or in some of the smaller municipalities in the riding of the member for Thunder Bay. They are the people who are getting the short end of the stick in this particular game.

For, if we are putting priorities on the use of funds which come through Ontario teachers' pension contributions, municipal employees' pension contributions, provincial government employees' pension contributions and other sources like that, what about housing? Are the Toronto Argonauts, the Ottawa Rough Riders and a new major league baseball team for Toronto really of more importance in the allocation of capital funds of the province than funds for housing in the province? Surely the answer has got to be no. Surely the answer has got to be that if funds are available, they should be put into an essential area like housing or like amateur sport, and not into professional profit-making sport, where very large sums are involved right now.

There's a stadium down at the CNE right now which, to my knowledge, has proved quite satisfactory for grandstand shows, demolition derbies, professional football games and, God knows, it might even take an International League baseball team if such still existed. It is adequate, in other words, for most of the needs which are put on it right now.

The Argonauts are a profitable team. Money is poured into them year after year.

They never seem to win the Grey Cup for various reasons, but nevertheless they are clearly not a team that is short of money. In fact, they are probably one of only three or four teams in the Canadian Football League that are consistent profit-making teams, despite their win-and-loss record. Now, why on earth should we be giving a guarantee to the Argonaults when other priorities are not being respected?

I would like to ask the minister during the course of the debate whether he, unlike his officials, can give an answer to what is the current rate of interest being charged by the Ontario Municipal Improvement Corp. What terms and conditions are proposed to be given on any loans that are handed out by this corporation for the construction of stadia, initially whether any agreement has been reached with Chairman Godfrey or other people in the Metropolitan Toronto area for the CNE Stadium and, subsequently, what terms are proposed to be made available if they want to reconstruct Ivor Wynne Stadium or the stadium in London for a WFL or CFL entry or for the reconstruction and expansion of Lansdowne Park, which is currently under way?

I think that those facts should go on record before we vote on this particular bill, and on behalf of the New Democratic Party I will just have to say that we can't accept what the Treasurer is doing to the Municipal Improvement Corp. It's a good body right now; it probably should be expanded in the things that it has been doing reasonably well. For God's sake, keep it that way and don't put it to the service of John Bassett and all his cronies. We will oppose the bill.

Hon. Mr. White: What an astonishing series of assertions that we are going to guarantee debts for the Argonauts!

This amendment to OMIC will simply enable the province to purchase municipal debentures if the municipality itself decided to erect a municipal stadium or alter an existing stadium. This would be done, no doubt, at the decision of the council and accepted by us.

Not only would it be a loan only and not a grant, not only would it be for a municipality only and not a private enterprise, but they would be paying something more than the Province of Ontario paid to its debenture holders. At the present time, loans to municipalities under 20,000 provided for by OMIC are at 10.5 per cent. When we went to market in New York seven weeks ago, on behalf of Hydro, we paid 10.25. Interest rates have decreased very substantially since that time, and I should think that if we went to market tomorrow it would be at 9.75 or thereabouts.

There are no agreements or arrangements as such with Chairman Godfrey or the mayor of Ottawa, although certainly the Premier (Mr. Davis), speaking for the government, made it clear that we would present a bill of this nature to the Legislature; and if the Metropolitan council wished to utilize this particular source of borrowed funds, then of course it can make application for that purpose.

Mr. Cassidy: So there are agreements, in other words, of the wink and nod kind of variety.

Hon. Mr. White: The same thing is true in Ottawa, where there's a very real impulse toward having a better municipal stadium. There again, while no arrangements have been made, we would like to accommodate them by way of a loan on which interest would be paid.

Mr. Cassidy: There are those who say the impulse should not be encouraged.

Hon. Mr. White: In that all fun is anathema to the hon. member, in a way that doesn't typify either the Legislature or the society, I am not sure that he represents the attitude of the citizenry of Ottawa.

Mr. Cassidy: The minister gives them circuses but he won't give them bread. The Treasurer of all circuses, that's what he is.

Hon. Mr. White: At any rate, this is a new facility for the municipalities in this province and I do hope it will go through. Now, to confess my own biases, I hope somebody here in this town succeeds in getting a national league franchise.

Mr. S. Lewis (Scarborough West): Since obviously London won't.

Hon. Mr. White: Not only have I been a baseball fan in years gone by, but I observe that other communities, like Montreal, which has a good team, have their names splashed all over the world. I think Toronto is entitled to that, too.

Mr. Cassidy: I don't disagree with him, but why should we agree with it?

Mr. Lewis: Has the minister read Norm Mailer on football? Go home and do that and then watch another game. I challenge him.

Mr. Speaker: In the meantime, the motion is for second reading of Bill 130.

Those in favour of Bill 130 being read the second time will please say "aye."

Those opposed will please say "nay."

In my opinion, the "ayes" have it.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Hon. S. B. Handleman (Minister Without Portfolio): Mr. Speaker, before you call it 6 o'clock, I just wanted to inform the members of the House that there has been an agreement among the parties to rise and resume sitting at 8:30 p.m., rather than the usual 8 o'clock, at which time the seventh order, that is Bill 68, will be brought before the House for discussion and second reading.

Mr. Lewis: What are we going to do after that?

Hon. Mr. Handleman: After that, if that is passed or disposed of by the House, we will revert to budget debate.

Mr. Breithaupt: If I might suggest, before adjournment, that since these next two bills might take all of a minute each, it might be convenient to the Treasurer to proceed with 131 and 154 and we could clear those items off the order paper.

Mr. Speaker: Is it agreed then that we return at 8:30? Agreed.

Mr. Cassidy: I am sorry. On behalf of the New Democratic Party, I don't think that I can agree with the hon. member for Kitchener about Bill 131.

Mr. Speaker: I presume the minister has the message, and I have no control over that.

It being 6 o'clock, p.m., the House took recess.

APPENDIX

(See page 5730)

Answers to questions were tabled as follows:

7. *Mr. Paterson*—Inquiry of the ministry:

What was the total budget in 1973 for each ambulance service based in Essex and Kent counties. What were the dispatching costs in each budget. How many vehicles were allotted to each service. How many emergency calls did each service make. What was the total number of calls made by each service. How many personnel are employed by each service. What was the provincial average in each case.

Answer by the Minister of Health:

Because dispatch centre costs are not accounted separately, except where there is a central dispatch centre, it is not possible to provide a provincial average for dispatch costs.

The cost for the Windsor central dispatch for 1973 was $78,884 and this included services provided to the ambulance services in Windsor, Tecumseh, Harrow and the County Ambulance service, Belle River.

The dispatch costs for AA & M Amherstburg were $11,000 and for the Sun Parlour Ambulance Service, $22,700 plus an estimated $3,500 for the operator.

	Total Budget in 1973 for Ambulance Service	Number of Vehicles Allotted to the Service	Number of Emergency Calls Made	Total Number of Calls Made	Number of Full-time Personnel
Provincial Average	$ 99,184	2.2	1,159	2,150	10.2
Windsor Ambulance Service	$497,370	6 plus 1 back-up	7,868	12,059	44
Suburban Ambulance Service — Tecumseh	$185,128	2	1,209	1,719	16
AA & M — Amherstburg	$ 42,034	3	611	740	2 (plus 32 volunteers)
G. Smith — Harrow	$ 45,656	1	250	292	4
Sun Parlour Ambulance Service — Leamington	$200,085	2 plus 1 back-up	1,233	1,780	15
County Ambulance Service — Belle River	$ 38,026	1	344	397	4
Arbour's Chatham Ambulance Service	$311,678	3 plus 2 back-up	2,685	4,137	22
Arbour's Wallaceburg Ambulance Service	$ 75,182	1	Totals for both services		5
Masse Ambulance Service — Tilbury	$ 41,797	1	294	455	4

24. *Mr. Bullbrook*: Inquiry of the ministry:

Would the Minister of Revenue advise what revenue has been generated by the Land Speculation Tax Act and the Land Transfer Tax Act since its inception to Oct. 1, 1974. Would the minister advise the administrative cost of collecting such amount.

Answer by the Minister of Revenue:—

1. Revenue collected: The revenue collected to Oct. 1, 1974 amounts to:

(a) The Land Speculation Tax, $205,000.

(b) The Land Transfer Tax: (i) revenue from resident transferees, $30,825,000; (ii) revenue from non-resident transferees, $1,325,000.

For a total of $32,355,000.

2. Administrative Costs: It is not possible to separate the administrative costs between the Land Speculation Tax Act and the Land Transfer Tax Act as the administration of these two Acts is integrated. Nor is it possible to allocate the cost of supervisory personnel and other staff who were devoting only part of their effort to this programme.

On an integrated basis, however, the direct administrative costs to Oct. 1, 1974 have been: Full time employees, $18,000; casual part time help, $4,000; summer students, $38,000; printing and stationery, $25,000; total, $85,000.

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No. 136



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

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Tuesday, November 26, 1974

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. Speaker: The member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, may I take this opportunity of introducing to the House a group of some 60 young people who are Cubs, Girl Guides and Brownies from the Church of the Transfiguration in Etobicoke. They are the Sixth Humber West pack, and they are under the guidance of Mr. Budenz and other parents, Cub leaders and Girl Guide leaders. I would ask the House to join me in welcoming these young people here tonight.

MINISTRY OF COLLEGES AND UNIVERSITIES ACT

Mr. Parrott, on behalf of Hon. Mr. Auld, moves second reading of Bill 68, An Act to amend the Ministry of Colleges and Universities Act, 1971.

Mr. H. C. Parrott (Oxford): Mr. Speaker, may I indicate to the House at this time that when we move to committee I expect to move an amendment to delete section 2 (4b).

Mr. J. E. Stokes (Thunder Bay): Second thoughts, eh?

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, this bill, which is to establish the Ontario Council on University Affairs, has been on the order paper for some time. Some indication has been given as to the composition of the Council on University Affairs, and the matter which seems to be the most controversial among people in the province is the composition of the council which will be set up. As the bill states, there will be 12 members, one of whom shall be a chairman, and six members will constitute a quorum.

We are all aware, of course, of the university community. My own community has two such institutions in its boundaries. To some extent a university does operate as a separate community within the municipality with its undergraduate students, grad students, faculty, administrative staff and the others who go to make up the persons at the university, and these, of course, are represented in one manner or another on the council. It has been drawn to my attention quite forcibly that the community in which the university exists also has an interest in the operation of that university, especially those who are taking part-time undergraduate studies at the university. It is this group which feels rather left out in that there is no representation on the council by the part-time students; they are not represented on this council. They rightly point out in their open letter to the minister that the community interest in the university should be considerably greater than it is.

We have spoken about it in our community at a committee called the town and gown committee, which would increase relationships between the university and the municipality. Those people within the community who take part-time courses at the university have a vital interest in the university. I think it would do a great deal to strengthen the relationship and communications between the people in the municipality and the university, if there was representation on this body by the part-time students who are taking undergraduate courses at the university.

I think, Mr. Speaker, the minister (Mr. Auld) did indicate the other day that he was still giving consideration to this question. I would ask his parliamentary assistant to indicate whether this somewhat large and important body of citizens within the province who are actually paying, according to the last figure I heard, about 83 per cent of the costs of operating the university, while only about 17 per cent is borne by the tuition fees of the students, whether this part-time group of students representing the community could not be represented on this advisory council.

Mr. Speaker: Does any other hon. member wish to speak to this bill? The member for the Nickel Belt.

Mr. F. Laughren (Nickel Belt): Thank you, Mr. Speaker. We in this party feel several concerns about this bill. One of them is the

whole question of the timing. The government has decided to bring in legislation to create a Council on University Affairs, while ignoring many of the other recommendations of the Commission on Post-Secondary Education. I don't think it is coincidental that it's the university community to which the government has addressed itself first, as opposed to the community college for example.

Another concern, before the parliamentary assistant stood up, was the whole question of the right of the minister to collect information about those people in the university community. It was really remarkable, Mr. Speaker. If I might say to you, Mr. Speaker, as chairman of the select committee on economic and cultural nationalism, I would hope you had some influence on the Ministry of Colleges and Universities to have section 2, subsection 4b deleted, since it was the university community that refused to give your very select committee information concerning the makeup of the faculty of the various universities. It is strange indeed that the Ministry of Colleges and Universities has seen fit to back off at this point.

What I don't understand about this bill is that they have retracted that part of the bill which would have given them the right to demand from the various institutions information which would lay out, for example, what the homeland of the faculty members of the institutions was. There is no reason why the ministry could not have safeguarded individual rights, while at the same time making it mandatory for the institutions to give information to the Legislature by the ministry. There's no question but that the Ontario Confederation of University Faculty Associations was right on when it said to the ministry that there were certain things that needed to be safeguarded in terms of individual rights. The ministry could have said: "Yes, you're quite right. We will build those safeguards into the ministry while at the same time making it mandatory for those institutions to divulge that information." They could have done that, but they didn't. Instead of that they withdrew the whole section of the bill. There's no justification for that.

What I'm concerned about is the individual institutions which to this day, in this era of massive public financing of the post-secondary institutions, still regard themselves as autonomous bodies, as though they were still living in the age when they received their financing from private donations or funding. That day is long gone. The No. 1 priority now in Ontario in post-secondary education is public responsibility and the requirement of the post-secondary institutions to answer to the public for the funds they spend. It is not autonomy of those institutions that should be uppermost in our minds but the accountability of those institutions to the public that finances them. Here we have the ministry withdrawing that part of the legislation which would have made it a requirement that the institutions would provide that information. It's a little hard to understand. I would be very interested in hearing the parliamentary assistant's response to that.

Mr. E. W. Martel (Sudbury East): Dr. Evans got to them.

Mr. Laughren: The other question, which the member for Waterloo North touched on, was the composition of the Council of Ontario Universities. Out of 20 members, including the chairman, two are students. As the Ontario Federation of Students pointed out, there are three major segments of the student population. There are the undergraduate, the post-graduate and the part-time students. In view of the emphasis which the Commission on Post-Secondary Education placed on part-time students, it is hard to understand why the ministry has not seen fit to include part-time students on the council. I think that is the most reprehensible part of this legislation. If we really do believe that there is a new direction required in post-secondary education in Ontario, surely this is the direction which it's going to take and it's not even up to the Ministry of Colleges and Universities to determine that direction. It's predetermined.

The public at large in Ontario is going to demand more and more of a say in the financing of post-secondary education in Ontario. More and more people are going to take part in post-secondary education on a part-time basis, despite the discriminations of the ministry in terms of financing, loans and awards. It's beyond me why the ministry would not see fit to include that particular part of the student body on the council. It is totally reprehensible. Also the students who are represented on the council, namely, the graduate students and the undergraduate students, were placed there at the whim of the ministry and not because of any representations by representative bodies of those groups, namely, the Ontario Federation of Students or the graduate student associations in Ontario.

I wonder why there is this disregard for students rights in the Province of Ontario. Is it because the ministry regards them as being incompetent? Is it because the ministry

regards them as being transients in the university community? Well, that's hard to believe, but every now and again there are pronouncements from the ministry which would lead us to believe this. One need only look at the college community, for example, to see the kind of contempt that the ministry has for students.

To this day, in this age of supposedly emphasis on participation by people, we have in the community college sector no representation whatsoever on the boards of governors of those institutions. If one calls representation on an observer level representation, I suppose there is. Also, the whole question of the appointments to the governing council of the University of Toronto indicates that the ministry really is not serious about giving students any kind of voice in the governing of those institutions. Surely students are a legitimate interest group and should have a say, and not a token kind of say. I'd like to quote from a brief that was prepared by a student—the Ontario Federation of Students has made this submission to the government of Ontario—this was by, I believe, a Carleton university student, who was talking about the frustration of being a token student on a governing body. This is what he says:

> To be a student here has no real content. These people are members of the student body in the same sense that anyone chosen at random is a member of the human race. The student body, and similarly the human race, is purely an abstraction. It has no prior organization, nor consciousness, nor power. Only by pure chance will a student representative speak or work toward a genuine student need, and even when he does he will have no way of proving it to the power controlling faculties. Without any attempt at the establishment and organization of what students do want, the student representative states and acts on merely his own subjective opinion. It has no necessary universality, no depth, no educative value, political or otherwise, for the students in general.

Mr. Speaker, that indicates the sense of frustration felt by students who are appointed to a governing body but have no sense of mandate from the people they are supposed to represent.

Those students who are on the council are not appointed by bodies that represent students in the Province of Ontario. On the contrary, the Ontario Federation of Students, which as far as I know is the most representative body of students in Ontario, has no knowledge whatsoever of the appointments.

Mind you, that shouldn't surprise us. The labour appointments were made in the same kind of fashion and the labour bodies in the Province of Ontario, while they are happy with the person who was appointed from among the ranks of labour, were puzzled as to where the ministry got the name and how they appointed that particular person.

So I wonder what the ministry is trying to do; whether it is trying to create some kind of confusion or some kind of dissension within the representative student bodies. But there is really no logic to what they are trying to do. If they are going to appoint students to these governing bodies, such as the council, then let them do so through representative bodies of students, such as the Ontario Federation of Students.

The other thing that bothers me about this bill is the whole question of the role of the Ontario Council on University Affairs. Just what authority is going to be delegated to that council? Because the bill certainly doesn't demonstrate that. If we look at the whole problem of post-secondary education in Ontario, we should go back to the Commission on Post-Secondary Education—the so-called COPSE report or the Wright report—and see what it was they were saying. It seems to me they were saying that there should be a new direction in post-secondary education in Ontario and that a body such as this council should act as a buffer between the post-secondary institutions and the government. Where in this bill do we see any indication of this council being a buffer? I see it nowhere at all. I really don't see what the responsibilities of the council are, other than as an advisory body.

I wonder to what extent the ministry is finally going to say, "We recognize that people in the community out there"—in this case it just happens to be the university community, but in other cases it could be miners or it could be housewives or it could be loggers — "are going to have a say in those conditions that control their environment." I think that is what's very, very serious about the direction of this government.

I think the theme of the Commission on Post-Secondary Education was "directions for change." I believe that was the theme of part two of their report, in which they said that there needs to be a change in direction in post-secondary education, and that we have to give a new opportunity for people in the province who heretofore had not had any kind of participation in post-secondary

education – such as native peoples, such as our Franco-Ontarians, such as people in remote communities, such as the labouring people in this province. Those are the people who should not only be able to partake of post-secondary education in numbers that so far have never been realized, but also should have a say in the direction of education in this province.

There is no indication in this bill that those people are going to have an increased say in the direction of post-secondary education. I don't see any indication here that native peoples must be represented on the council, nor any indication here that people from the northern parts of our province must be represented on the council, nor any recommendation or requirement that Franco-Ontarians are guaranteed a certain voice on this council, or that the same would apply to trade unions.

What bothers me, Mr. Speaker, is something I see happening over and over again, and there is no better example than the Sudbury area, where working people in this province build our universities and our colleges, pay for our universities and our colleges – and see them run by their employers. So it is a rather blatant example of the workers building and paying for the institutions, and seeing the bosses run them and their sons attend them. The whole thing, of course, is compounded by the whole system of tuition fees and the whole system of loans and grants that discriminate against people who cannot afford to attend these universities.

There is no requirement in this bill that women be given an increased say in the administration of post-secondary education. I suppose the parliamentary assistant will stand up and say there are three or four women represented on the council, but I would ask him whether those appointees were representatives of women's committees in the Province of Ontario or whether they once again were at the whim of the powers that be in the Conservative Party in Ontario.

So I must say, Mr. Speaker, that while I recognize the need for a council on university affairs—and I anticipate that there will be a council on college affairs and cultural affairs as well—I'm disappointed by the lack of specifics in this bill. There very easily could have been all sorts of guarantees built into this legislation, which would have guaranteed a new role and a new hope for people in Ontario who previously had virtually no voice at all in governing or attending post-secondary educational institutions.

Despite the fact that I've perused this bill for an indication of a new attitude on the part of this government, I'm afraid they don't realize the error of their ways; nor do they realize how they've alienated the post-secondary students in this province, as well as the post-secondary faculty and the disenfranchised groups in Ontario. They haven't indicated that they have seen the error of their ways and are about to make changes.

I would urge the parliamentary assistant to reconsider some of these sections in this bill and build in some guarantees for these people who have not had the kind of say to which they are entitled because, in the final analysis, it is not the friends of the parliamentary assistant or the minister or other people in the Tory party who pay for post-secondary education in this province; it's the taxation of the working people in this province that makes possible the kind of post-secondary education that's available to everyone in Ontario. And while it's not as democratic as we would like to see it, nevertheless what is there and what is available to them is made possible by working people in Ontario, and they are given short shrift when it comes to the governing councils of post-secondary education in Ontario.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, I too am interested particularly in this bill, having had some involvement with a university board of governors over the last number of years.

It's interesting to see that the point raised initially by the hon. member for Waterloo North and by the last speaker, concerning the matter of part-time student involvement, is one which apparently has not had much of an impression upon the ministry.

As you are perhaps aware, Mr. Speaker, the Council of the Ontario Confederation of University Faculty Associations and the Council of the Canadian Association of University Teachers both agreed to a resolution on May 17 of this year, referring to section 4b, which the parliamentary assistant now says is going to be deleted from the bill. That resolution, as I read it, did not particularly argue against the content of the section that now is to be deleted, wherein the collection and publishing of information and statistics was going to be attended to by the minister. What was objected to was the manner in which this whole

matter was to be handled. The council of the faculty associations said in their resolution that this subsection perhaps had some merit if there were certain safeguards. I think it is worthwhile to repeat the safeguards as they saw them, Mr. Speaker.

> First, [they said] individuals in institutions receive statutory guarantees that, on written request, complete and accurate disclosure will be made of the nature and substance of all information in government files pertaining to the individual or institution at the time of the request.
>
> Second, corresponding disclosure of the sources of such information and the names of recipients of such information is secured by statute.
>
> Third, the statutory right to correct errors or omissions from such files is secured.
>
> Fourth, the publication of such information and/or statistics is statutorily circumscribed by restrictions analogous to those governing publication by Statistics Canada.

These then were the four general parameters in which this association thought that section 4(b), as it was proposed, might be useful.

It would appear, though, that instead of attempting to make this item a better piece of legislation, what has happened is that the ministry has collapsed and the proposals that were in the draft bill which was introduced in the House on May 14 of this year are simply to be forgotten about.

It will be interesting to hear from the parliamentary assistant just what the reasons are for the deletion of this subsection. We would have thought it would have been beneficial to have the subsection in, if there were amendments brought in that would safeguard the various points of concern that were brought forward some five months ago by persons who were intimately involved with this particular interest.

However, in spite of those caveats which were brought in at the time by this resolution that has received wide circulation, the ministry now chooses to simply abandon this approach. As I have said, it will be interesting to hear just what we have in the way of an explanation for the expected actions of the ministry when we move to committee in order to delete this section 4b, as it was proposed to be.

The other point I would like to reinforce is the earlier comment with respect to part-time students. Surely there can be on a university council of this size a satisfactory requirement that there be three student representatives. The part-time student is every bit as important a part of our educational programme at the post-secondary level as is the graduate student or the undergraduate student. Each category has a particular set of needs, a particular set of involvements, and really deals with a very clearly defined segment of the educational picture. I would suggest that the ministry reconsider this matter, so that when appointments are made, or at least at the first opportunity if a replacing appointment is required, consideration would be given to the proper and effective involvement of the part-time university students who are such a large number in our university populations.

I think, for example, Mr. Speaker, of the involvement that I have seen growing at what was Waterloo Lutheran University and is now Wilfrid Laurier University concerning the whole approach to part-time students. From a few hundred students, when I was first involved, far too many years ago, the university has grown and developed, particularly in the matter of adult education in the summer school programmes of upgrading and in the various interest courses that are run during the winter months.

These programmes are run not only in the city of Waterloo but also at Orillia where a sub-campus development has gone on over the years and where it is hoped some day a separate college may well be developed in the future. Throughout this programme, I am constantly impressed at even numbers of my friends from various areas of the community who every now and then appear at a graduation in order to receive their bachelor's degree. They have progressed through a great involved series of courses over perhaps six or eight or 10 years. They have involved themselves, usually inconveniently, with attempts to study various programmes and subjects—

Mr. Martel: They pay the bills.

Mr. Breithaupt: —when there are other involvements that they have in their day-to-day job. Yes, I might add they also pay the bills, not only as taxpayers but also in their own tuition. They are really there in order to better themselves and to develop as best they can a university experience without perhaps the full concentration of a full-time course. They are very proud of the degree that has taken them many years, usually, and much personal sacrifice to obtain.

I think as we go to an economy that is more based upon the encouragement of persons to come back to various forms of educa-

tion, to upgrade themselves, and perhaps to complete a degree, if that is a goal which the person wants, we should as well realize that these persons have a great involved contribution to make as the whole programme of university development continues as we go through the Seventies and approach the 1980s. I suggest that a representative of these part-time undergraduates, who are usually much different from the usual graduate student or the usual undergraduate student, as I have said, involved on a council of this sort is something that should be encouraged and indeed presumed.

As a result, the ministry should reconsider this matter. If it is not practical at this point because of other appointments having been made, committed or indeed entered into, then surely at the first opportunity we should know by a statement in the House this evening that it is the intention of the ministry to appoint a representative of part-time undergraduate students. I think if this is done it will go a long way to building goodwill as this council embarks upon its new duties. I would commend that approach to the ministry.

Mr. Speaker: The hon. member for Sudbury East.

Mr. Martel: Mr. Speaker, I hadn't intended to speak to this bill until the parliamentary assistant announced he was going to remove section 2. What the parliamentary assistant did was destroy the entire report of the select committee on university education on the way our universities are being run. What, in fact, the select committee recommended was a system of monitoring. It is going to be interesting, Mr. Speaker, when we take the vote in a while, because we will deliberately do that, to find out how the seven Conservative members who were on that select committee will vote. They signed a document saying that there should be accountability and there should be monitoring of what goes on in the universities. It is going to be interesting to see how they vote.

Mr. Laughren: Can't lose them now.

Mr. Martel: It's going to be interesting to see if Carlton Williams got to my friend from London North (Mr. Walker). You'll recall, Mr. Speaker, your being chairman of that particular select committee, the problems we were confronted by as we did a year's work in trying to get a handle on what was going on in the hiring practices of the universities in the province. You'll recall, Mr. Speaker, the frustration we experienced, particularly when one Dr. Evans indicated he was going to go to the then Minister of Colleges and Universities, who was my friend from Hamilton West (Mr. McNie) who sits across the way.

Mr. Laughren: More power than the minister himself.

Mr. Martel: He was going to go even to the Premier (Mr. Davis) if need be, and I am convinced—

Mr. D. M. Deacon (York Centre): I think he must have done it.

Mr. Laughren: He already has.

Mr. Martel: And that's the point I am coming to, as suggested by my friend, the member for York Centre. That's what I am coming to. It's obvious that Evans got to the ministry people after all. When the parliamentary assistant got up tonight and announced the removal of that section, it becomes obvious—

Mr. Laughren: One phone call.

Mr. Martel: —that Carlton Williams got to the member for London North, and he got to the Premier, and he obviously got to the former Minister of Colleges and Universities, as he promised he would do.

Mr. J. A. Renwick (Riverdale): Probably using the government lines.

Mr. Laughren: That's what he did.

Mr. Martel: I wouldn't be surprised if he's using the government lines to do it.

Mr. Speaker, you'll recall that we went to the printers after a year of work—

Mr. Laughren: Black day.

Mr. Martel: —on the hiring practices within the universities. At the end of a year we didn't have the data that was necessary in order to have a fully comprehensive report, and there was the frustration that was experienced by that committee and the former minister when he was attempting to obtain information from the universities, as he went cap in hand—and as the new Minister of Colleges and Universities goes cap in hand—

Mr. Laughren: On bended knee.

Mr. Martel: —to scrape and bow on the floors. Some of them have no knees left in their pants from bowing and scraping in front of those people, but they are there.

An hon. member: Mine are all right. How about the others?

An hon. member: I'm all right, but I need a new suit.

Mr. Martel: And if the very people who were on that committee endorse the removal of that section, then I want to suggest to you as strongly as I can, Mr. Speaker, that this government never appoint another select committee in this province. Because we did the studying for over a year on that issue. We had cabinet ministers in and we had deputy ministers in, and they all experienced the same frustration. The universities—in a kindly way; in a nice, gentlemanly way—told us to go to hell.

You'll recall, Mr. Speaker, that we even had to threaten. There was an effort, at one stage in the game, to issue a Speaker's warrant to get the material from the universities. As I say, even after a year of work there and after five years of tremendous pressure in the province to hire Canadians who were fully qualified, as a select committee we found out that, despite all of that pressure, the hiring practices have not changed.

Consequently, rather than go to quotas, the committee tried to come up with a position that was a compromise, I suggest to you, Mr. Speaker, by all the members to reach some type of agreement on monitoring. That monitoring was to be based on the next four or five years, and if the universities didn't change then, in fact, we'd zap them.

That type of monitoring — which all 11 members on that select committee agreed to — we thought was in the Act. And in 30 seconds—

Mrs. M. Campbell (St. George): He pulled the rug.

Mr. Martel: That's right. In 30 seconds the parliamentary assistant said: "That's it — ballgame over."

Mr. Laughren: John Evans runs the ministry.

Mr. Martel: Well, I am going to be interested to see where the member for Peel South (Mr. Kennedy) votes tonight on this bill.

Mr. P. D. Lawlor (Lakeshore): He'd better head for the boondocks.

Mr. Martel: It is going to be interesting to see where those two cabinet ministers vote—the member for Ontario South (Mr. W. Newman) and the member for Carleton (Mr. Handleman) who advocated monitoring and having information; he didn't say make it public. We also suggested that when you get down below three you have to keep that confidential, not to destroy the confidentiality or the individual in that group of three in any given university.

It is also going to be interesting to see where the member for Humber (Mr. Leluk) and the member for London North vote tonight. Mr. Speaker, it would be interesting to see you leave the chair and take your place and vote along with those of us who are on that select committee to make these birds answerable.

Mr. Lawlor: Throw your weight in the right direction.

Mr. Martel: Of course, the member for Hamilton West was faced with that embarrassment during that period of time and graciously came before the select committee to indicate he wouldn't interfere, but he, too, is upset at the power demonstrated over in these august halls of learning.

Mr. Laughren: He ran the ministry.

Mr. Martel: Well, it is going to be interesting where he votes tonight, too. If there is any conviction among those seven Tory members on that select committee, they will oppose the removal of section 2 in this bill.

Mr. Lawlor: This is the night of embarrassment.

Mr. Martel: They will oppose it.

An hon. member: We are going to wait until we hear the good words of the parliamentary assistant.

Mr. Martel: Well, the member can hear the good words of the parliamentary assistant. The point is there was an entire year's work, and out of that came a report insisting upon information with respect to what goes on in the universities, not a policy of what was being requested of the committee—a quota of 85 per cent—but a monitoring process which should start immediately. That's what it said. It was very important that that start immediately and go back several years, because we had asked—what's that group in Ottawa?—to gather all the information in. Information Canada?

Mr. A. J. Roy (Ottawa East): Statistics.

Mr. Martel: We had asked Statistics Canada to provide us with all the data. We had a

year's data and part of a second year, and we suggested the next three years and then we would be in a position to determine whether in fact the universities were hiring qualified Canadians or not, and whether or not the old-boy network was still there, although well hidden.

Mr. Laughren: It's still there.

Mr. Martel: Obviously there was no disagreement. Some of the praises came regarding that report in press releases and from people who were gratified to see at last someone was going to tackle the problem foursquare. We have the Casper Milquetoast minister back off and I can only say—he's not sitting there. Another member is sitting in his chair—them ember for Sault Ste. Marie (Mr. Rhodes), to his left—to my right, thank God.

Hon. J. R. Rhodes (Minister of Transportation and Communication): Everybody is to the right of that member.

Mr. Martel: I think I should move a motion, Mr. Speaker, and maybe you would second it. We could call this the Evans bill, or the Carlton Williams bill, for my friend from London North. We could call it the Carlton Williams bill because every time Carlton got to good old Gord, Gord changed his mind yet another time. It was whoever got to him last.

Mr. Laughren: He's really tough-minded.

Mr. Martel: Well, I want to know why that whole select committee's report has been virtually thrown out the window. I think this government has something to answer for, and I think there are at least eight Tories here tonight who had better show that they have a little bit of backbone and support us in our opposition to the removal of that section or, as I said earlier, the whole system of select committees and all that nonsense to study problems—the whole select committee thing—should go out the window.

Mr. Deacon: It's not nonsense, it's common sense.

Mr. Martel: It is common sense. I am just saying to my friend, what is the sense of having a select committee that does a year's very careful research, with staff, research personnel and legal counsel, to have a bill introduced based on that report and then see the guts of that bill taken out because obviously somebody got to "Billy the Kid."

Mr. Laughren: John Evans got to "Billy the Kid."

Mr. Martel: It is obvious. It is so obvious it is perverse, and those Tory members who were on that committee should hang their heads in shame if they don't oppose this tonight.

Thank you, Mr. Speaker.

Mr. Speaker: The member for Ottawa East.

Mr. Roy: I just wanted to make a few comments on the bill. As you know, Mr. Speaker, in my riding I am fortunate enough to have one of the great universities of this province, and I thought that we should comment on this when we were discussing the bill.

It is interesting, in hearing the comments of the people who spoke ahead of me, in that I think they have raised two important points. I think the points raised in relation to the deletion of clause 4(b) and the exclusion of the part-time students on the council, are evidence—in fact, just reading the whole bill is evidence—that somehow the province here, which really foots the bill on the question of universities, is again reluctant to set the pattern.

We keep hearing all the time about the good intentions of government or the good intentions of individual ministers about doing such and such, Mr. Speaker, but usually the best evidence of good intention is when it is framed in legislation; when we have it right down here in legislation. After all, all of us here, elected by the people of this province, are the ones who are supposed to set the tone, and the tone and the policy should be reflected in the legislation.

It seems to me that when we are dealing, first of all, with the question of the members of this council, and when we talk of 12 members, surely there are minimum requirements that should be included in the question of members. We have done it before, for instance, in the Health Disciplines Act, where we established a health discipline committee, I think it was called, and it was stipulated in that that there should be lay people, or that all members of that particular committee should be lay people.

In other words, we have established for certain committees that we have formed, pursuant to legislation in this House, a minimum requirement. Yet in this legislation there are no minimum requirements at all. It is just left to the individual discretion of the minister who happens to be the minister at that time. How often have we seen policy vacillate from one minister to the next and, in fact, from one government to the next;

although we have not had the opportunity in the last 31 years of seeing that, which hopefully we will see in the next few years. I see smiles on the other side when I say that, and I feel a certain amount of agreement, even coming from across the way.

The fact remains, Mr. Speaker, that the steadfastness and the intention of this parliament is expressed by legislation and this is the approach that this government should take. So I can't understand why, when it said that there will be 12 members on the council, it didn't mention the minimum requirement of having an undergraduate student or a graduate student. I understand they are on the council anyway. Why wouldn't that be framed in the legislation? It may well be that the next minister who comes around—depending on what sort of pressure is put on the individual who holds that office—might change his mind and do away with that completely. I don't see the minimum requirement even in this section, and of course, the obvious exclusion of not having a part-time student sit on the council, is again one that is blatant and seems to have no logic whatsoever.

Mr. Speaker, we have attempted in past years to open up our universities to the community, and the best evidence that we are doing that is, of course, the part-time student, who is an individual in the community, who is attempting to take a course on a part-time basis to try to keep his job. Very often these courses have much flexibility. I am happy to say that a large percentage of the University of Ottawa students are part-time students, and these people very often reflect more of the community than the students who are on a full-time basis. Why these students are not included on the council is something that I can't understand. It's something that is so obvious. If the minister is going to include any students at all, surely he should be looking to these students.

So, Mr. Speaker, I find it regrettable that this legislation does not have at least the minimum requirements in it—when it talks about, not a quorum, but it says there will be 12 members—that would say that so many members would be an undergraduate student, and there would be a graduate student and there would be a part-time student.

Mr. Speaker, the part I find ridiculous is that when you consider the object of the council, it says generally when you look at clause 7(b) subclause (iii) that it can make recommendations involving students, period. It involves, Mr. Speaker, all students—not only full-time students, but all students. That being one of the requirements, or one of the powers of the council to make recommendations involving all these students, why don't we include all the students on the council? Why are they now not all represented?

I trust, Mr. Speaker, that the parliamentary assistant will give some adequate explanation as to why that was not the case—why we don't have any legislation for these minimum requirements. If we mean something, the best way to express it, the best evidence that we are serious about a particular topic, is to put it into legislation and there it stays.

The other part that concerns me about the bill, Mr. Speaker, is the fact that although the council in section 8 "shall hold meetings open to the public at such time and place as it deems necessary," I would have hoped that that section would have at least stated, as other legislation does, that again there must be a minimum requirement as to the number of meetings that it has per year. With every other council that has been established, whether it has been under the Health Disciplines Act or other legislation here, we have always established in the legislation that these people were to hold a minimum number of meetings per year.

Of course, if you are going to have public meetings there should be some requirement, in the legislation, Mr. Speaker, that the public meetings are advertised so that the public knows of these meetings. It seems to me not very sound to have, for instance, the requirement that the meetings be open and held in public, with no requirement whatsoever for advertising or advising the public by some means that in fact a meeting is taking place, or at least to let the public know that the council must hold an annual meeting. All we have here is the fact that the council shall hold these meetings from time to time or in such places as it deems necessary.

The final point I want to make, Mr. Speaker, is in relation to the member for Sudbury East having mentioned the question of disclosure and the question that the minister, in carrying out his duties and functions assigned to him under this Act, may collect such information and statistics as he considers necessary. I trust that previous members have sufficiently emphasized this section. I trust that the parliamentary assistant will have some explanation.

I think the point was well taken that, again, when you have a provincial government that is supposed to set policy, that is supposed to set the tone, that is supposed to have long-term planning in this field, and when that government is being confronted by certain

individuals from the university, in fact it would appear that the member for Sudbury East was right when he said that in spite of the recommendations of the select committee, somehow, somebody seems to have got to either the parliamentary assistant to the previous minister or to the boss himself, the great Billy. So, Mr. Speaker, I trust that the parliamentary assistant will have some explanation.

I can't help but remark, Mr. Speaker, that it is becoming exceedingly obvious that when legislation is brought into this House there seems to be a process of deterioration along the way. I don't know if it is the caucus that gets to somebody, but time and time again we've seen legislation brought into this House and then all at once, for some unknown reason, it's either chopped up or retracted. You will recall, Mr. Speaker, the best evidence of that was the famous denturist legislation where at one time we thought we were supporting a piece of legislation which would allow them to practise directly to the public and, whoops!—on second reading they couldn't practise to the public, and that was forced down their throats, then the new minister came along and now they can deal directly with the public.

So government members wonder, across this province, why they lose some credibility; and they wonder why they might not do so well in certain by-elections and they're extremely concerned about the next general election. They may well ask themselves what their credibility is like, just on the evidence that has been presented here tonight.

When somebody is approached, in dealing with legislation, it is evident first of all that the ministers don't seem to know what they're doing; and second their policies are so inconsistent their credibility is at an all time low.

I think the public is getting onto them, Mr. Speaker, so I trust the parliamentary assistant will have some explanation as to what is going on here.

Mr. Speaker: The member for Riverdale.

Mr. Renwick: Mr. Speaker, I'm constrained to vote against the bill. There have been a number of very cogent arguments made this evening, and when each of them is joined with all of the other arguments there seems to be no good reason why this House should support the bill at all.

I have the greatest respect for the member for Oxford, the parliamentary assistant, but I think there are occasions when bills are introduced into the assembly upon which it is incumbent for the minister to be present. I can't tell whether he's the member for St. Andrew-St. Patrick (Mr. Grossman) or the member for—what is the minister's riding?

Hon. Mr. Rhodes: Sudbury East probably.

Mr. Roy: Leeds.

Mr. Lawlor: Leeds.

Mr. Renwick: The member for Leeds (Mr. Auld)—I can't tell which one of them is going to outlast Anastas Mikoyan as the person who has the capacity to survive in the government of the Province of Ontario. One of the ways they survive is by not participating in any of the public business of the Legislature.

Mr. Laughren: John Evans is going to outlast them all.

Mr. Renwick: Sometime, somewhere, there's going to have to be a Minister of Colleges and Universities who in fact stands up and comments about the legislation which is before the House.

Hon. J. McNie (Minister without Portfolio): Mr. Speaker, on a matter of personal privilege.

Mr. Laughren: We recognize the benevolent marshmallow from Hamilton.

Hon. Mr. McNie: I have listened to four members of the House opposite make references to myself and what they attribute to Dr. John Evans. Surely even the members opposite would recognize that this item 2(4b) would not have even appeared in this draft legislation if Dr. Evans had got to either myself or the Premier several months ago when the select committee was considering this matter.

Mr. Stokes: He was a little bit tardy.

Mr. Laughren: He was just a little late that's all.

Mr. Speaker: The member for Riverdale.

Mr. W. Ferrier (Cochrane South): They may have missed the Minister without Portfolio but they got to his successor in Colleges and Universities.

Mr. Renwick: Whether it was or wasn't a matter of privilege is irrelevant. It's always nice to hear from the minister.

The concern which I have with the bill, and I won't repeat everything which other members have said much better than I could

possibly say it: Dealing with the composition of the council, dealing with the nature of the representation and dealing with some of the elements of one of the reports of the select committee on economic and cultural nationalism; those are not fields in which I feel competent or able to comment.

What I am concerned about, and what the parliamentary assistant perhaps could convey to the minister—unless the minister is going to read the instant Hansard later tonight—what I want him to understand is that I think there has been a council in existence and operating without any statutory authority and I would like to know whether that's so. If that's so, I'd like to know who the members of that council are.

The rather strange thing is that while this bill was introduced on May 14, it was on Nov. 18 of this year the minister stood in his place and indicated the extent to which the government of the Province of Ontario was going to provide financial support for the colleges and the universities in the Province of Ontario.

As I read this bill, one of the principal purposes of the council is to act as an advisory body to the minister and to the Lieutenant Governor in Council and to make recommendations to the minister on any matter that in the opinion of the council concerns one or more Ontario post-secondary, degree-granting institution.

If one will look at the Hansard—which dealt with the minister's statement on page 5370; good God, have we sat that long?—of this assembly, he will find that what he has stated is that this council and the Council of Regents for practical purposes has no say in the decisions of the government with respect to the number of dollars which will be made available. After having stated the extent of the increases, Mr. Auld goes on to say:

> The matter of distribution will be determined on the advice of the Council of Regents for the colleges of applied arts and technology and of the Ontario Council on University Affairs after consulting with the institutions.
>
> In the guidelines I have given the two councils, I have indicated that there will be no increase in students' tuition fees, that our policy of accessibility should be maintained, that institutional autonomy should be preserved and that the global sums I have mentioned should not be exceeded.

If that's the government's conception of consultation with the colleges and the universities in the province, then we don't need to have a Council of Regents and we don't need to have a council for the universities, because they are not consulted about any matters of any significance. The only thing they are asked to do is to mediate the question of the distribution. Even then the minister set out for them the various options which should be considered in working out what that distribution will be.

One of the principal problems throughout the years in the assembly has been to try to indicate to the government that, as over the period of time the grants made by the government to the universities and to the colleges have increased, they have become increasingly dependent upon government resources. That's a trite statement and nobody complains about that. The correlative part of that obligation is that the institutions must be accountable. The institutions aren't accountable. There is no method by which they can account. There's no procedure by which they can account.

We have thought for a long time, since former Premier Leslie Frost established the Committee on University Affairs, that in some quiet, diplomatic way they provided the linkage for interchange between the universities, and subsequently the colleges, and the government for the purpose of consulting together to decide what can be done.

Whether or not that is true I can't tell. That's the assumption that we operated under, that it was an informal group of people who had the capacity and the ability to act as go-betweens, to mediate and to provide a method by which, in consultation with university representatives, government could come to some conclusions.

It is quite obvious from the statement of the minister in the House that no such prior consultation took place. It is equally obvious that the responses of the presidents of the universities in the province who have chosen to speak in response to this problem have clearly indicated that they weren't consulted in any way about the question of the number of dollars which were to be made available for the universities and for the colleges of applied arts and technology. No such consultation has taken place.

We don't need to read every word the former deputy treasurer of the province says on page 7 in the Globe and Mail to understand the response of the presidents of the universities throughout the province to the minister's statement. The minister's statement was to try to indicate that somehow or other the councils had a role to play. There is no conceivable way in which one can read the statement of the minister in the legislative

debates on Nov. 18 and the comments of the presidents of the universities in response to that statement, and come to the conclusion that we should be asked to pass in this Legislature a bill which states:

> The objects of the council are, and it has power,
>
> (a) To act as an advisory body to the minister and to the Lieutenant Governor in Council;
>
> (b) To make recommendations to the minister on any matter that, in the opinion of the council, concerns (i) one or more Ontario post-secondary, degree-granting institution [etc.].

If there were any suggestion that the body was to be of any significance, then I would suggest that we in this party would at least support that kind of a body. But we have been through this with the Council of Regents so far as the colleges of applied arts and technology are concerned; and we know, and everybody else knows, that despite the deception in the statements which were made at the time when the colleges of applied arts and technology were founded in this province, and the legislation was introduced for that purpose, that the Council of Regents has nothing to say.

What I am trying to put is the obverse side of the real argument that we have tried to put to the government, that the post-secondary educational institutions, particularly the universities, tied as they are to a feudal past, have got to be given the opportunity to be accountable for the use which they make of the funds which are provided through the government of the Province of Ontario. But accountability can't even be begun for the universities or for the colleges, either through annual meetings with standing committees of the Legislature, through appearances before select committees of the Legislature, or through public meetings of the council with members of the government who are responsible for these matters. None of those things can be done if the government continues to dictate the fundamental financial resources on which these institutions depend.

Ultimately the government must make the decision, of course, because it has the responsibility for raising the funds which will support these institutions. But the government cannot do it without consultation; and obviously they have done it without consultation and in a way which now will provide that this particular governing council that we are asked to establish in this bill will be nothing but performing some kind of computerized technique of distributing the money amongst the various colleges in accordance with certain formulae.

Mr. Laughren: The minister is in contempt.

Mr. Renwick: If one reads what the minister says, that's what he told them to do. He said: "I have suggested that the options to be considered include the following"; then he went on to talk about the typical jargon of those in the educational field, which I can't possibly understand; I never have understood most of the jargon in the education field. But in any event, he lays down the guidelines of the way in which even the distribution is to be done.

I believe, as my friend the Minister of Consumer and Commercial Relations (Mr. Clement) has chided me with on occasion—so long as the Tory government is in power—in a certain conspiratorial atmosphere in which they operate. I do happen to subscribe to the telephone call theory about the section which the minister is going to delete. I happen to do that because every time the government appoints the board of governors of one of the universities, and they in turn go through the selective process to appoint a president of the university, what they are looking for and why there is such great difficulty is the fact that they have to have a combination of Dag Hammarskjöld, Leslie Frost and Mackenzie King, because they are not talking about somebody to administer a university, they are talking about a person who will act as plenipotentiary from these minor vassal states to the government. And the role which they have to play is that role of the skilled diplomat; and it's very difficult to find the skilled diplomats, you see, because none of them has ever had any political experience.

Interjections by hon. members.

Mr. Renwick: And we, as politicians, know that in order to be a diplomat you have to be a politician. The problem that we have in the appointment is that not only is the selective process difficult, but the moment the men are appointed as presidents of the universities throughout the Province of Ontario, they assume this semi-feudal diplomatic role as if they are coming to the Holy See. This is part of the feudal background. We've never ever been able to break it.

If you read—charming and gracious and delightful as it is—the account of Claude Bissell as president of the University of Toronto, you wonder what in God's name it was all about. I thought he was administering a large

financial institution with a dedication to the academic tradition of the universities. But that wasn't it; it was all involved in this little polite game that was going on. It was a question of whether Eric Phillips was going to fire him every time he was called before the chairman of the board of governors; or whether diplomatically he could meet with so and so; or whether he could meet with so and so; and what influence he could bring and how skillfully he could manipulate the system.

I'm saying, Mr. Speaker—and as I guess, perhaps, my colleagues in the assembly have realized—that provided I have the support of the members of our caucus, I think we'll vote against the bill.

Mr. Laughren: No problem, no problem.

Mr. Renwick: Because somehow or other there is something phoney—

Mr. Stokes: "Dr." Grossman just came in.

Mr. Renwick: Anastas Mikoyan.

Hon. A. Grossman (Provincial Secretary for Resources Development): If the member's caucus supports him, he thinks he'll vote against it.

Mr. Renwick: That's right.

Mr. Speaker: Order, please. The hon. member for Riverdale has the floor.

Mr. Renwick: Thank you, Mr. Speaker.

Mr. Ferrier: He is making a wonderful speech.

Mr. Renwick: What I'm saying is that there is now something singularly wrong with the overall governance of the universities and the overall governance of the colleges of applied arts and technology.

Somehow we're going to have to come to grips with the problems. Somehow we're going to have to deal with the question of the adequacy of the representation on these various bodies. Somehow we're going to have to deal with a government that insists on dictating to the universities, disguised as protecting their autonomy. Somehow we're going to have to establish the methods by which, in a democratic society, they become accountable to other democratic institutions. Somehow we're going to have to break the idea that every president of every university is some plenipotentiary who has a particular role to play in the diplomatic game that goes on with the government. We're far beyond that.

When I listened to the suggestion that the response of even one president of a post-secondary educational institution to the decision of government that one of his options will be to restrict enrolment, then I say: That president is not wrong; what is wrong is the fact that the government has never consulted with the universities in any real sense to determine the number of dollars which will be available.

I've gone on long enough and the other points we can deal with at another time. But the point which my colleague from Sudbury East has made is incontrovertible. You don't delete this section. Because what the ministry is really saying to us is: "We'll delete this section because it's caused a bit of a stir. But without the statutory authority we'll go ahead and collect the information anyway." That's what they are really saying.

They weren't prepared to put into statutory form their responsibility to collect the kind of information which would provide the basis upon which decisions could be made, subject to adequate safeguards to protect the privacy of the individuals within this very closed circuit of educational institutions.

How a government could arrive at a conclusion such as that they were going to delete the clause—and the parliamentary assistant was very adroit to be on his feet right at the very beginning to tell us that he was going to do that, because he thought that that would mean the problem would disappear back under the rug.

There's just no way, obviously Mr. Speaker, that either the members on this side of the House, or indeed I think even the government members, could support this bill. I think we will oppose it on second reading.

Mr. Speaker: Does any other hon. member wish to take part in the debate? The hon. member for Nipissing.

Mr. R. S. Smith (Nipissing): Yes Mr. Speaker, I have a few comments to make with regard to the deletion of section 2.

As a member of the select committee which has been referred to earlier tonight, perhaps I should go through the machinations that took place between that committee and the presidents of the universities across the province.

The committee felt at one time that it needed information in regard to the specific members of the faculties of the universities, and it distributed a letter asking that each university provide this information. For the longest time there was no reply. After a

number of phone calls, etc., there was a reply from the council of presidents of the universities saying that they had decided they would gather the information from the individual universities, put it through a computer, send it down to Ottawa to Statistics Canada, put it through some other kind of process, then bring this information back and finally give it to the select committee. But, at the same time, they were going to protect what they considered to be the individual rights of the members of the faculties of the universities which was, as I understand it, their right to refuse to say whether they were Canadian citizens, American citizens, citizens of nowhere in the world or whether they were even alive or not.

That is exactly what the council of presidents of the universities came back and told our committee that they were going to provide us with. But they were going to protect that in some way; if there were fewer than three or four in an area, such as teaching sociology at Queen's University, say, they would delete that because then there would be some method by which somebody might be able to find out that one of those professors was in fact a Canadian citizen. And it would be a terrible thing if somebody could find out that somebody was a Canadian citizen!

Mr. Breithaupt: Shocking.

Mr. R. S. Smith: Especially if he was living in Canada and being paid from the public purse through this province.

Mr. Martel: And got his degree in Canada.

Mr. R. S. Smith: Anyway, this is the thinking that went on within the universities. I don't think anybody here will question that, including the parliamentary assistant, or the minister if he was here. I don't think the minister, if he was here, would understand it at all—

An hon. member: No.

Mr. R. S. Smith: —because he wasn't affected by it, and he wasn't involved in it at the time. But that's part of the problem and it's most likely part of the reason he's not here tonight when this section is being deleted, because he doesn't understand what it is all about.

The fact is that this is the answer that the committee got from the council of presidents of the universities after about four months. We waited then for about another three or four months. Finally, we started to get some information. It came in dribs and drabs, and much of it had to be put together by our own staff. We didn't have much staff to work with, whereas the council of presidents of the universities had plenty of staff, besides a computer. But, in fact, they refused to give us the information in what could be considered a useful form for our purposes. Our staff had to put it together as best they could. And when they had finished putting this information together, they found that there were very large holes—

Mr. Martel: From John Evans.

Mr. R. S. Smith: Yes, just wait—and when we started to look at the information, we could tell that the holes came from one university. When we went back to the president of the president of the college of university presidents—that's a pretty circuitous way to describe the fellow, but that's what he is.

Mr. Deacon: Very circuitous.

Mr. R. S. Smith: Yes, everything is circuitous with that outfit anyway.

An hon. member: They are all going around in circles.

Mr. R. S. Smith: He said: "Well we are having trouble getting the information from one university." We said: "Well, you indicated to us that you were to provide this information."

"Yes, but we can't understand it. We can't get the information from this one university."

We then made direct appeals to that university and to Mr. Evans, the president of the university. We were given undertakings that the material would be provided in a form that suited them best, regardless of whether it was useful for our purposes or not. In fact, after some two or three more months we did receive information through the council of presidents from the University of Toronto, which we then had to fit into the other information that we had received over a seven- or eight-month period. In order to get what ordinarily would take the average person about three weeks, it took the council of president well over a year and almost 15 months to provide us with some very simple straightforward information.

There are not that many university professors in this province that they could not all have been polled within a week and asked what their status was insofar as their citizenship was concerned. I think anybody on the telephone could have done it with the help of four or five other people in a week or 10

days. But it took the council of presidents 15 months, plus a very large cost of money to collect information that was only partially useful because of the limitations that they placed on what they considered to be the right of people to refuse to say or to be recognized as Canadian citizens or American citizens or British subjects or any other connotation that may be placed on a person insofar as his citizenship is concerned.

The whole thing was just a joke and the removal of this section from this bill tonight really completes the joke and shows that the ministry is a part of the joke. The parliamentary assistant is part of a farce. I am saying this to the person who is putting this bill through the House.

After having gone through that 15 months of frustration with the university people, for the minister to remove this section 2 from the bill is a real farce. I should think that the parliamentary assistant's minister should be here to answer tonight and he shouldn't have to be here having to answer for him, because the actions that this House has had to take through that committee from the council of presidents and which his ministry is now taking from the same council of presidents are an insult to both the ministry that he represents and to the House.

After all, the people of this province pay 90 per cent of the cost at that level and they should have 90 per cent of the say, or they should at least have the right to information that anybody else should be proud to give, except these people who feel they belong to another stratum of society which nobody else can understand.

Mr. Speaker: The hon. parliamentary assistant.

Hon. Mr. Grossman: Mr. Speaker, perhaps in view of the request of the hon. member opposite, if the parliamentary assistant has no objections, and as I have been in at the beginning of this debate, perhaps the hon. member might care to adjourn the debate so that the minister would be here when the debate resumes on this.

Mr. R. Haggerty (Welland South): Hasn't the minister got enough members there?

Hon. Mr. Grossman: We've got members. Don't worry about that.

An hon. member: Where are they?

Mr. R. Gisborn (Hamilton East): He should condemn the minister for not staying here.

Interjections by hon. members.

Mr. R. S. Smith: I don't know what he rose on, whether it was a point of order or a point of privilege or a point of nothing. I really didn't hear him say anything.

Hon. Mr. Grossman: I am engaging in the debate. The hon. member made a request. He suggested that perhaps the minister should be here for the purpose of this debate.

Mr. R. S. Smith: He should be here.

Mrs. Campbell: He should be here to reply.

Hon. Mr. Grossman: I was suggesting that perhaps as a matter of courtesy, if the hon. member opposite—

Mr. R. S. Smith: Because the party opposite has no members here.

Hon. Mr. Grossman: —and perhaps some of his colleagues felt that way, perhaps it mightn't be a bad idea if he would adjourn the debate and wait until the minister gets here.

Mr. R. S. Smith: I am prepared to adjourn the debate on this bill if the minister is prepared to call some other bills.

Hon. Mr. Grossman: I'll ask the parliamentary assistant. I don't know what his plans are.

Mr. Speaker: The Chair would suggest, before there is any motion to adjourn the debate, that perhaps the parliamentary assistant might like to comment.

Mrs. Campbell: Mr. Speaker, I would like to speak to this bill.

Mr. Speaker: All right, before the parliamentary assistant speaks, the hon. member for St. George would like to take part in the debate.

Mrs. Campbell: I am not going into the matters of the makeup of council. That has been covered by others far more able to discuss it than I am. I do want to address myself, however, to this situation where we have a bill which has been before us for some time. We have it put through by the parliamentary assistant, for whom, may I say, I have the greatest respect. I have found him to be the most helpful in many ways in this House so that it is in no way that I approach this in a derogatory fashion as far as he's concerned. But for him to be placed in the position of

stating that he will be moving, by way of amendment, the deletion of this one section is, Mr. Speaker, an insult, in my view, not only to the people in this Legislature but to the people of the Province of Ontario.

This government, in order to protect the taxpayers of the province, can delve into the most intimate details of the lives of people who have the misfortune to be on a government subsidy.

Mr. Deacon: Right.

Mrs. Campbell: And yet when it comes to a university, we are not able to obtain the information that we need to come to certain conclusions. It's interesting, too, I have that university in my riding—or I did have; I am not sure where it goes now, but I did have it the last time around—the University of Toronto, and this is the one—

Hon. Mr. Grossman: In mine.

Mrs. Campbell: It is in the minister's riding now? Well, that's fine, he can just take care of it.

Hon. Mr. Grossman: It always has been.

Mrs. Campbell: No, sir, I am sorry. I had those students in my riding the last time.

Hon. Mr. Grossman: Where were they last time?

Mrs. Campbell: I beg your pardon?

Hon. Mr. Grossman: They were in my riding the last I heard of them.

Mrs. Campbell: Well, they voted in my riding in the by-election. That is all I can tell the minister.

An hon. member: They voted for her, a goodly portion.

Hon. Mr. Grossman: I would think the fact that my constituency extends to the east side of University Ave., there's a fairly good reason for believing the University of Toronto is in my riding.

Mr. Speaker: Order, please. Will the hon. member for St. George return to the principle of the bill?

Mrs. Campbell: Perhaps the minister would look at Victoria College and take a real look at the situation.

Hon. Mr. Grossman: I am not talking about just Victoria College.

Mrs. Campbell: Here is a question where the government can't have the courage to try to ascertain the facts from universities which are becoming more and more foreign-dominated, paid by the taxpayers of this province. I really cannot understand why the minister has lacked the courage to come forward and give himself the power that he promised to us he would assume under this bill. What have they got on him that the government can't get this kind of information out of them? They have denied it to the select committee and now they are going to get away with it.

I would assume that the NDP will probably have to come around to my point of view before this is through and join me in saying that while the minister regrets the whole idea of a quota system, that is the only way he is going to assure the people of this province that they get a fair shake at the university level and the faculty level.

As far as I am concerned, I have been discussing this matter with personnel at the university. There is some indication that they are interested in the position of the people of the province. And don't ever mistake it, the people of this province want to have an opportunity for the university graduates of this province to have a position on faculty in the universities. Don't ever think they don't, they do. If the universities haven't been able to turn out the calibre of person to take this kind of faculty position, then it is an indictment on them and not on the rest of us.

Mr. Speaker, I can't speak more forcibly than I have. My view is that this cannot be deleted. We cannot subject ourselves like cringing people to the dictates of those who refuse to give information to the people of Ontario. Thank you, Mr. Speaker.

Mr. Speaker: Does any other hon. member wish to take part in the debate? The hon. member for York Centre.

Mr. Deacon: I just want to add a word in support of my colleague from Nipissing that we want to see the recommendations of the select committee implemented, that we urge that this clause be not dropped, and that we will vote against it in that circumstance.

Mr. Speaker: Does the hon. parliamentary assistant wish to comment?

Mr. Parrott: Just to prove that I am a very reasonable-minded person, I am prepared to move the adjournment of the debate if that should meet the wishes of the House.

Mr. Laughren: Not really.

Mr. Ferrier: Oh, come on. Afraid to answer a question, eh?

Mr. Parrott: No, indeed I am not, and I stand very firmly on that. I think that—

Mr. Renwick: The motion to adjourn is not debatable, Mr. Speaker.

Mr. Gisborn: What a klutz.

Mr. Speaker: The parliamentary assistant has already moved the adjournment of the debate.

The House divided on Mr. Parrott's motion, which was approved on the following vote:

Clerk of the House: Mr. Speaker, the "ayes" are 35, the "nays" are 25.

Mr. Speaker: I declare the motion carried.

Motion agreed to.

Hon. Mr. McNie: Mr. Speaker, on Thursday we will debate the schedule of bills already agreed to.

Mr. I. Deans (Wentworth): Mr. Speaker, might I ask whether there is any indication of when the resources development committee will sit to hear the Workmen's Compensation Board?

Mr. Roy: How come we don't sit Wednesday?

Hon. Mr. Rhodes: Because we sit Monday and the member is never here.

Mr. Deans: When will it sit?

Hon. Mr. McNie: Mr. Speaker, the only information I have is that the House will consider Bills 131, 151, 118, 55 and 62.

Mr. Singer: Oh? In which order?

Hon. Mr. McNie moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:40 o'clock, p.m.

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Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, NOVEMBER 28, 1947

The House met at 2 o'clock, p.m.

Prayers.

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I'd like to draw the attention of the House to—

Mr. L. Maeck (Parry Sound): His new coat!

Mr. E. M. Havrot (Timiskaming): Bring on the bagpipes!

Hon. Mr. Miller: Later, later.

Mr. A. J. Roy (Ottawa East): The minister's tie and jacket don't match.

Hon. Mr. Miller: I know that. My wife bought them, and she's in town today.

Mr. D. C. MacDonald (York South): The minister has made an impression.

Mr. Speaker: Order. The hon. Minister of Health.

Hon. Mr. Miller: Mr. Speaker, I'll get on with the serious business of the House if I'm permitted.

There are 120 students of grades 9 and 10 from the Huntsville High School visiting us and seated in the galleries today. I'm sure that the members of all parties will welcome them.

Mr. Speaker: The hon. member for Eglinton.

Mr. L. M. Reilly (Eglinton): Mr. Speaker, I know that you and other hon. members of this House would like to join with me in welcoming visitors to our gallery today. In the west gallery there are several students from Glenview Senior Public School, along with their teacher, Miss Pritchard, and two of the parents, Mrs. Woodruff and Mrs. Palmer.

Mr. Speaker: The hon. member for High Park.

Mr. M. Shulman (High Park): Mr. Speaker, on a point of order, if I may; I wonder if you would make a ruling. What I would like to know is: Does a member of this House have immunity against being charged criminally as a result of a speech in this House? More specifically, I'm referring to the Invasion of Privacy Act, section 178(2), which states that disclosing the existence of certain wiretaps is an indictable offence and liable to imprisonment for two years. Do we have immunity against this legislation?

Mr. Speaker: It is my understanding that you have immunity for anything you say or do in this chamber. What you do outside—

Mr. Shulman: In this chamber?

Mr. Speaker: Within this chamber, yes.

Mr. MacDonald: Criminal as well as civil?

Mr. Speaker: I'm not sure what you have reference to. If that doesn't answer your question, you had better consult a lawyer about outside the chamber.

Interjections by hon. members.

Mr. Shulman: Mr. Speaker, on the point of order, I'm asking, do we have your protection?

Mr. Speaker: That is my understanding.

Mr. R. D. Kennedy (Peel South): He'll look after the member.

Mr. I. Deans (Wentworth): Just how valuable is your protection?

Mr. Speaker: The hon. member for Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, I rise on a point of privilege—

An hon. member: The member for Grey-Bruce is protected too.

Mr. Sargent: —that not only concerns the privileges of all members of the House, but the basic and fundamental privilege of the House to grant access to files pertaining to public business and the public interest. Obviously, if those rights are taken away, the House does not exist. It is not so obvious that the House does not exist, except in shadow form, when the right to information

is emasculated through the abuse of the rules of the House and the contempt of the ministers in refusing to supply information.

In my questioning of an overpayment of about $3 million for land in the Saltfleet development, the minister will not provide the files, but rather he retains the right to pick and choose, Mr. Speaker, information from the files to substantiate his position that everything was above board.

Without going into all the details at this time of the serious mishandling of moneys in this department, I raise this matter because I believe that if a member of the Legislature cannot get information, then we have come to a dangerous point in our democracy.

Mr. Speaker, if it is acceptable to you I move, seconded by the hon. member for Ottawa East (Mr. Roy): That the subject matter of this question of privilege be referred to the standing committee on procedure and organization, or the appropriate committee, and that from here on the ministers provide the files requested by the members of this House.

Mr. Speaker: May I just say to the hon. member that I know of nothing in the orders which has to do with requiring the ministers, or anyone else, to open their files to anyone, within or without the House; so I don't see that the hon. member has a basis for that part of his argument.

If he is not satisfied with the answers to any questions which he has asked, there is a procedure to seek redress on that, as you know, I think it is in order 27(a) and (g), although I could be corrected on that. If he is not satisfied with an answer there is a procedure which he can follow.

If he is not familiar with that I suggest he consult his House leader, or failing that the Clerk or myself later; it has to do with the debate at the close of business on Tuesday evening. Of course, you must give notice in writing before 4 o'clock of the same day on which the answer with which you are not satisfied was given. It seems to me that would answer the hon. member's problem.

Mr. Sargent: Mr. Speaker, I respect your opinion on that, but I do say that the whole operation of a member not being able to secure the information defeats the purpose of the House.

Mr. Speaker: You may bring that up if you wish to go through the procedure which I outlined.

Mr. Sargent: Well I wish to put that motion that I have given to you, because I think the government should either say "yes," or "no" we haven't access to the files. If we haven't, then our being here is useless.

Mr. Speaker: I consider the motion out of order at this time.

Statements by the ministry.

The hon. Treasurer?

LAND PURCHASES IN HALDIMAND-NORFOLK

Hon. J. White (Treasurer; Minister of Intergovernmental Affairs): Mr. Speaker, as I indicated to the House during the debate on my estimates last month, we are pressing forward with a development strategy for Ontario. In conjunction with this we have been assembling a number of large parcels of land throughout the province which will be used to implement the urban requirements of this strategy. The members are already familiar with the Townsend site near Jarvis, in the regional municipality of Haldimand-Norfolk, which we began acquiring in May of this year.

Since the initial block purchase of 10,740 acres at an average price of $1,936 an acre, we have acquired approximately 2,500 additional acres through open market purchasing from local landowners at an average price of $2,100 an acre.

The Minister of Government Services (Mr. Snow) has now advised me that they have purchased all the freely available property on this site. As a result we have discontinued active purchasing there, although we will consider any reasonable offers of privately-owned property which could be useful to this development.

We are now discussing development of this project with officials of the regional municipality and we plan to have the first housing available on this site within 30 months. This new settlement will absorb much of the growth we foresee from industrial development in Nanticoke during the next 10 years.

In the development at Townsend site, we will look for ways to integrate agriculture, industry and commerce to preserve our food lands, protect the environment and meet the aspirations of future generations for a different, more habitable, kind of community. We must do this, Mr. Speaker, and I am excited about the potential of this site. I will have more to say about it when we present our development strategy to the House.

While the Townsend site is being developed, Mr. Speaker, we will proceed with the design of another community on a second site which we are in the process of acquiring in Haldimand-Norfolk. Over the past several months a real estate firm has acquired, on our instructions, options to purchase parcels of land in excess of 12,000 acres in the former townships of South Cayuga, Dunn and Rainham. The average price of these options is $1,861 an acre plus real estate and legal fees.

We have not determined the ultimate size of this community or the amount of land which should be acquired by the province to initiate its development. Because the Townsend site will meet the immediate needs of the Nanticoke development, we can take more time to develop the second community. It has the size, location and potential to experiment with new concepts in housing and land use on a site which does not encompass our prime foodlands.

While we are planning these new settlements, however, we intend to keep all the existing arable land in both sites in food production. My colleague, the Minister of Agriculture and Food (Mr. Stewart), will work directly with the Ontario Land Corp. to achieve this.

Mr. Speaker, it has been necessary to advise the House of this project now so that we can take over and exercise the options which were obtained for us. As we did with the Townsend site, I will table a list of all the options and their cost in this House at an appropriate time in the New Year.

Mr. Speaker: The Minister of Energy.

ONTARIO ENERGY CORP.

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, at an appropriate time I will be introducing an Act to establish the Ontario Energy Corp. It is rather interesting, Mr. Speaker, to reflect on the fact that this is the first piece of legislation which has emanated from the Ministry of Energy since its birth a little over a year ago.

Mr. J. F. Foulds (Port Arthur): Conception.

Hon. Mr. McKeough: In summary form it might be said that the particular Act today will create a government-controlled corporation to invest or otherwise participate in energy-related projects. At the same time, it will have a structure that is distinct from any ministry, and, as far as possible, it is intended that the corporation will ultimately progress into a financially self-supporting and commercially viable enterprise.

In the report that, as parliamentary assistant to the Premier (Mr. Davis), I delivered on June 1, 1973, I anticipated that a step such as this should be examined in the light of the interests of the people of Ontario. At that time—in proposal No. 12—I proposed that the government of Ontario "should establish an energy development fund which would be authorized to commit provincial resources for projects which are deemed to be potentially of importance to this province and which are not being adequately dealt with at the present time."

We have moved beyond the conception of a "fund" to an actual corporation that will be a continuing and active participant in the assurance of adequate and secure supplies of energy in Ontario. The increasing seriousness of the concerns related to adequacy of supply clearly call for increasingly positive action by Ontario and, indeed, by all parts of the nation.

This, again, was made clear to hon. members in my Sept. 4, 1974, statement on natural gas. I commented in that report as follows:

> We propose that this corporation, to be controlled by the government of Ontario, will provide the initiative and support required to get large energy projects under way on time and in a sequence that we perceive to be in the public interest. The corporation will participate directly or indirectly with private industry or other governments in projects which enhance the availability of energy to the province and which encourage wise use of the essential resources.

The share structure of the corporation is divided into two million common shares and 20 million special shares that may be issued for such consideration as the board of directors may determine. Limitations will be placed on the extent of individual ownership and non-resident ownership of equity shares. The Minister of Energy, on behalf of Her Majesty the Queen in right of Ontario, will at all times hold a majority of the outstanding shares of each class of equity shares of the corporation.

The corporation will be given powers to borrow money and make investments by a wide variety of financing vehicles in order to allow it maximum flexibility in operation.

As far as possible, this corporation will adopt the structure of a normal corporation

and will be a normal business operation in the sense that, for example, Ontario Hydro and Air Canada are normal business operations. But the corporate purposes will be rather different than those of a private company: Its primary objective will be the assurance of energy for Ontario users, rather than profit.

In order to assure that the corporation accurately reflects the aspirations and interests of the people of Ontario, the corporation is required to make an annual report to the Minister of Energy and this report will be submitted to the Lieutenant Governor in Council and to the assembly.

I do not suggest that the role of the corporation should be a narrow one, although it will be limited to projects in the energy field. Its role will be a gradually developing one as the circumstances change and initiatives are seen to be necessary. Initially we propose that the minister be the only shareholder in the corporation.

Mr. J. E. Stokes (Thunder Bay): That's called blue socialism.

Hon. Mr. McKeough: At some stage in its development we anticipate the corporation may attract capital from other investors, whether institutions or directly from the public, for which a reasonable return on investment should be properly expected. Such investments would be related to the corporation itself, or more likely to subsidiary interests and joint ventures established to carry out specific projects.

Within this framework the goals will be as follows: To enhance the availability of energy in Ontario by stimulating resource exploration and development and expanding production capability throughout Canada or elsewhere; to encourage investment in energy projects and the effective use of financial, human and other resources in energy projects;—

Mr. Sargent: That's what is called giving them a piece of the action.

Hon. Mr. McKeough: —to encourage development of processes and equipment which avoid wasteful use of energy and minimize environmental damage; to improve the security of energy supply to Ontario through acquisition, participation, guarantee and long-term commitment of resources.

I made it abundantly clear in my statement on natural gas that there is no disposition for the Ontario Energy Corp. to undermine the activities of the private sector, quite the reverse.

Mr. Sargent: What's the motivation then?

Hon. Mr. McKeough: It is not in Ontario's interest to further exacerbate the tensions between private energy corporations and government or to increase the uncertainty that afflicts the industry. The purpose of this corporation is to secure the interests of Ontario in the matter of energy supply, and this will not be accomplished by prejudicing the circumstances of those corporations, public or private, that currently contribute toward this end.

The Ontario Energy Corp. will, in a sense, stand between the public and private sectors of our community. It will reinforce the contribution of both, but it will not rush about attempting to displace private activities in those many areas where activities are efficient, appropriate, timely and relevant to the real needs of Ontario.

Indeed, it is proposed that, in terms of the regulated gas companies, there will be a broadening of private sector involvement in the assurance of secure supplies of energy. In my report to the Premier in June of last year I made the following proposal:

> Regulated utilities should be encouraged to invest in the exploration for and production of natural gas; and further, the government of Ontario should consider the inclusion of approved investments in the cost of service or rate base of such utilities.

Up to this time the Ontario Energy Board has, generally speaking, only approved the inclusion in rate base of investments already made in Ontario for the distribution of gas and not investments related to exploration, production and transportation unless also made in the province. Because of our dependence on gas supplies produced outside Ontario, it is our view that the category should be broadened to include investments made beyond the borders of the province.

In this connection, I am now tabling for the information of members, the order in council directing the Ontario Energy Board to examine, and after a public hearing to report on, the question of the appropriate limitations, conditions and procedures to govern approval by the board of investments or expenditures by Ontario gas distributors for the purpose of securing additional future supplies of gas for Ontario.

In brief then, sir, I am asking the Energy Board to report on an appropriate mechanism by which the gas utilities can become more involved in investments which will improve the availability and security of long-term supplies of energy for Ontario.

Faced with an uncertain future with respect to natural gas supplies for the province I had expected, and so stated on Sept. 4, to present to the House in this session amendments to the Ontario Energy Board Act with respect to the hearing procedures and to the transfer of authority for the allocation of natural gas supplies from the Minister of Consumer and Commercial Relations to the Ontario Energy Board, and to provide for powers for the Lieutenant Governor in Council to make regulations relating to systems of priorities of natural gas use. This is a matter which we have concluded will require more extensive study in consultation with other ministries and co-ordination with various parts of the federal government, including the Energy Supplies Allocation Board and the National Energy Board.

It is our intention to proceed with those amendments as soon as practicable in the spring session of the Legislature.

ACCESS TO CONDOMINIUMS BY MUNICIPAL CANDIDATES

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, it has come to my attention that some candidates running for office in the forthcoming municipal elections and their representatives have been refused access to some condominium developments, and that this has resulted in an inability on the part of these candidates to canvass thousands of potential voters.

I have been advised by members of my legal staff that, in their opinion, condominium corporations do not have the authority under the Condominium Act to refuse reasonable access to political candidates. I am also advised that condominium bylaws that purport to prevent candidates or their representatives from campaigning in condominium developments are not valid under the Act. The Landlord and Tenant Act, Mr. Speaker, specifically provides that a landlord cannot restrict reasonable access in these circumstances and I am giving consideration to a similar amendment to the Condominium Act to clarify this matter, as follows:

> No corporation or servant or agent of a corporation shall restrict reasonable access to the property by candidates, or their representatives, for election to the House of Commons, the legislative assembly, or any office in a municipal government or school board for the purpose of canvassing or distributing election material.

Mr. J. R. Breithaupt (Kitchener): Let's pass that today.

Mr. V. M. Singer (Downsview): First the minister said it was illegal; now he is amending the Act.

Mr. Speaker: Order, please.

Oral questions.

The hon. Leader of the Opposition.

LAND PURCHASES IN HALDIMAND-NORFOLK

Mr. R. F. Nixon (Leader of the Opposition): Thank you. I would like to put a question to the Treasurer, further to his statement on new community development in Haldimand-Norfolk: Can he now clarify for the Legislature where the planning authority will reside for the development of these new communities? Will it, in fact, stem from his own position as chief planner or will the people presently living in the area, who have stood for public office and have responsibilities in the municipalities as they now stand, have a role to play in the planning of the future community?

Hon. Mr. White: Mr. Speaker, I have communicated four options to the regional council. The member for Haldimand-Norfolk (Mr. Allan), and I are going to be meeting with the regional council, I think a week from tomorrow at 4 o'clock, at which time we are going to invite their comments and their advice on the options available.

One of the options is to use the Ontario Planning and Development Act. Another option is to use the regular mechanisms of municipal planning and regulation. A third option is to have a project corporation, which would have on its board six local citizens among the 12 members on the board, and to have the regional council's planning committee, that being comprised of elected persons, as the advisory committee to the project corporation. A fourth option would be a variation on one of those.

As soon as the regional council has given us advice and a decision has been made, I'll be glad to announce that decision to the House.

Mr. R. F. Nixon: Supplementary: I wonder if the minister can make it clear under what authority he is purchasing these lands. Is it a special minute of cabinet that permits him to go out this way, without any consultation with the community concerned, to

buy up these large parcels of land which evidently will fit into a scheme which he may or may not present to us in the weeks that lie ahead?

Hon. Mr. White: Well sir, the authority is provided under statutes for which the Minister of Government Services is responsible; and the decision of cabinet is certainly reflected in a minute of cabinet, yes.

Mr. R. F. Nixon: I wonder if I could have a further supplementary. Is there a limit to the purchases authorized by cabinet? Or has the Treasurer a free hand to purchase under the authority he has described instructing his colleague to buy on his behalf?

Hon. Mr. White: The limits are the estimates voted by this Legislature.

Mr. Speaker: The hon. member for Wentworth.

Mr. R. F. Nixon: He has all the money he needs to buy that.

Mr. Deans: A supplementary: What effect will the development of this new town, city or whatever it may be, have on the ongoing corridor study that is currently under way and supposedly to end by the end of February of this coming year? How will that possibly be integrated and how do the corridors that are being proposed fit into this overall plan?

Hon. Mr. White: This site in Cayuga was one of the potential sites delineated in the "Threshold of Change" report which was published a year ago or thereabouts. In that report, the relationship between the alternative city sites and the transportation corridors was described. So the selection of this site and the acquisition of it are perfectly consistent with the planning contained in that document.

And if I may say so, perfectly consistent with all of the planning principles and policies announced—starting with the TCR in 1966—in that these sites lie beyond zone 2, where we are attempting to stimulate industrial development and increase population densities and in the process protecting the scale and style and humanity of the communities in the Toronto-centred part of the province.

Mr. Deans: Supplementary.

Mr. Speaker: Final supplementary.

Mr. Deans: Thank you. What kind of an impact does the inclusion of some tens of thousands of persons who are likely to move into the area if it develops as you imagine it is likely to develop, have on the ability of the area between Hamilton and Nanticoke to absorb that number of people and to provide adequate transportation routes in order that they will be able to traverse back and forth, or to wherever they have to go?

Hon. Mr. White: I do believe, sir, that I have answered the question. There are transportation corridors depicted in the "Threshold of Change" reports.

Mr. Deans: But they are all roads.

Hon. Mr. White: And these transportation corridors are shown in juxtaposition to potential sites. The site which we are acquiring is one of the best potential sites.

If I may take another moment, Mr. Speaker, this is the most glorious city site imaginable, with the broad reaches—

Mr. Deans: In the world? Is that in the world, or just in Ontario?

Hon. Mr. White: —of the Grand River across the top, and with Lake Erie across the bottom.

Mr. Sargent: The Treasurer has also got Maple Mountain.

Mr. Foulds: It surpasses Rio de Janeiro, Buenos Aires and Vancouver.

Hon. Mr. White: My hope is, it being within commuting distance of the Niagara Peninsula, that it will take some of the development pressures off those unique soft fruit lands.

Mr. Roy: Is it four-star or three-star?

Hon. Mr. White: By the same token, one would hope that the Jarvis site might relieve certain of the pressures in the Hamilton area, in addition to providing for the enormous build-up of population that is going to be experienced there. And I'll remind you, Mr. Speaker, that at the present time, or a short while ago, the population of Haldimand-Norfolk was 87,000. Estimations of population in the year 2,000—now that is not very long away, that's 25 years from now and we graduated; well I don't know about my hon. friend but I graduated more than 25 years ago from college—

Mr. Deans: It shows.

Mr. Roy: That is obvious.

Mr. Singer: The Treasurer doesn't believe that now.

Hon. Mr. White: By the year 2,000, not very long from now, estimates range up to a population of 900,000 people.

Mr. Roy: I was going to say he graduated in 1950.

Hon. Mr. White: That, by the way, was from Canadian Bechtel. Now we can do nothing, and allow the existing communities—which I know very well: Port Dover, Simcoe, and others—to be absolutely ruined by overdevelopment; we can try to take the strain off by locating these two new city sites to accommodate maybe a quarter of a million people each, and this is the route we are taking. I am absolutely positive this is the way to go on.

Mr. Speaker: Any further questions by the Leader of the Opposition?

FUNDING OF COLLEGES AND UNIVERSITIES

Mr. R. F. Nixon: A further question of the Treasurer: Is he aware of the financial stress, which may result in fiscal stress on the province, that the universities are experiencing as a result of the statement a week ago by the Treasurer's colleague, the Minister of Colleges and Universities (Mr. Auld)?

Is he aware that the president of the University of Toronto stated the following in a university publication named the "Bulletin" and dated Nov. 22. I quote:

> I believe the university must accept a major deficit in 1975-76, rather than further sacrificing the quality of its programmes.

Does the Treasurer not believe the deficit incurred by provincially-assisted universities are essentially our deficit, and therefore that there should be a statement of policy in this regard before the universities go forward with the type of financing envisaged by the president of the University of Toronto?

Hon. Mr. White: What the member says is correct on first glance, but in fact these are self-governing institutions.

Mr. J. E. Bullbrook (Sarnia): Oh, no, no; that doesn't slough off responsibility.

Hon. Mr. White: And therefore their deficits are not our deficits in a more correct and meaningful sense. If the implication of the hon. member's remarks are that we should incorporate them into some government ministry, I'd like to hear him say so.

Now dealing with the problem itself—

Mr. R. F. Nixon: That is a good idea.

Mr. Breithaupt: That is exactly it.

Hon. Mr. White: We are going to provide 16 per cent more money to the universities next year—

Mr. R. F. Nixon: An effective 7.2 per cent.

Hon. Mr. White: We have to deal with an enormous increase in health costs; we are providing 13 per cent, plus $80 or $85, for the secondary and primary schools; we are faced with heavy demands from the CSAO; and there is only so much money in this pot.

Mr. Roy: That's right.

Hon. Mr. White: Now the universities, when I last saw the figures—

Mr. Sargent: And the Treasurer squandered it all.

Hon. Mr. White: —had a staff-student ratio of 1 to 12.9. The staff-student ratio of Mexico, where the university has more than 100,000 students, where the library is open 24 hours a day, where they have more than 10,000 medical students, and where their degrees are accepted around the world, is one to 80. When I was in France last weekend on my way back from the Middle East, I was talking to two university professors and I said: "What's your staff-student ratio?" And they said: "We can't get the exact figures. It is between one to 100 and one to 150."

I don't think deficits are the answer in the university community. I think the answer lies in increasing the staff-student ratio, as indeed the Premier pleaded with them to do six or eight years ago. At that time the staff-student ratio was one to 14. When I took over that ministry, it was one to 12.9. That's not my idea of progress in that area.

Mr. R. F. Nixon: Supplementary, if I may.

Mr. Speaker: Supplementary question.

Mr. R. F. Nixon: Surely the Treasurer would agree that if the University of Toronto enters into a substantial deficit it is going to have to borrow the money on some collateral. Now is it going to be the collateral of the ownership of Hart House?

Mr. Bullbrook: Right.

Mr. R. F. Nixon: Or is it going to be the credit of the province? Don't listen to the

former Treasurer, because he got into problems this way too.

Mr. Bullbrook: What are they going to do, mortgage Convocation Hall?

Mr. R. F. Nixon: Now surely the Treasurer must accept, in the long run, that any deficit entered into by a provincially assisted university is our deficit.

Mr. Speaker: Order please. Your question?

Mr. R. F. Nixon: If we are going to go into those arrangements, we should surely have a policy statement.

Hon. Mr. White: Well I don't agree with that, sir. The president of York University, who is known to the members here, has embarked upon a $10 million fund-raising campaign, and I would like very much if the U of T contemplated that instead of a deficit—

Mr. Breithaupt: Those days are over and the minister knows it.

Hon. Mr. White: —although I must say that the aside from my colleague, the Minister of Energy, was they could always mortgage the John Robarts Library.

Mr. Bullbrook: That's very funny.

Interjections by hon. members.

Mr. Speaker: Order please. The member for Sarnia.

Mr. Bullbrook: By way of supplementary: In recognizing that these grants as announced, of 16.9 per cent, when translated into true value to the universities are 7.4, do I understand the Treasurer's response to the Leader of the Opposition to be that this government now is prepared to adopt as a policy the right of a university to enter into a deficit financing position? Is that correct? Is it adopting that policy? If so, it is the first time in the history of secondary education throughout the world that a government has allowed that.

Hon. Mr. White: Well in fact that isn't correct. There have been deficits before and they have been managed.

Mr. Bullbrook: They have not!

Hon. Mr. White: The powers which the University of Toronto have are those powers, no more and no less, that this Legislature gave to them.

Mr. Bullbrook: That's right.

Hon. Mr. White: If there is something defective about that Act, of course we would contemplate a change.

Mr. Bullbrook: So the Treasurer's answer is that the government is prepared to have them deficit finance?

Hon. Mr. White: I am asking them to sharpen their pencils and find other economies—

Mr. Bullbrook: The Treasurer's answer is "yes." He is not asking them that.

Hon. Mr. White: —as a preference to deficits.

Mr. Speaker: Order, please.

Mr. Roy: I have a supplementary to the minister's answer. Did he have any planned alternative when he suggested this 16 per cent; which works out in fact to about seven per cent according to the universities? What are the government's alternatives for the universities? Is it to increase the staff-student ratio or is it to cut the number of students in the university? For instance, Carleton University has a $1.1 million deficit. What is the government's alternative to that university to solve that problem?

Hon. Mr. White: My hon. friend will deal with certain of these matters. These are self-governing institutions. I don't run them; nor does the Minister of Colleges and Universities. They run themselves using income from several sources, the major source of course being the Province of Ontario.

Mr. Roy: Eighty per cent.

Hon. Mr. White: Now if one looks at the campuses in this province and sees the high quality of buildings, the high quality of courses, the high repute in which these degrees are held throughout the western world—

Mr. Breithaupt: Oh, yes.

Hon. Mr. White: —one has to come to the conclusion, as I do, that we have provided appropriate sums of money. Of course they would like to have twice as much, but they are getting hundreds of millions of dollars and they can provide a high level of education for every man and woman who qualifies and who can benefit from that further education.

Mr. P. D. Lawlor (Lakeshore): The government put them there.

Hon. Mr. White: If the members don't accept what I am saying, walk across the street and look around.

Mr. Speaker: Does the Leader of the Opposition have further questions?

SALES TAX ON BUILDING MATERIALS

Mr. R. F. Nixon: I would like to ask the Treasurer if he is contemplating any reaction to the information that came from the president of the Canadian Real Estate Association yesterday predicting a 10 per cent across the board increase in the cost of housing, probably a 22 per cent increase in the next year in Metropolitan Toronto. In this connection is he giving consideration to removing or reducing the provincial sales tax on the cost of building materials and construction materials?

Hon. Mr. White: Well now, sir, I don't know this gentleman and I don't know much about that association. But I do know if I were trying to sell watermelons one of the things I would say is, the price is going to be higher tomorrow or a week from tomorrow.

Mr. Breithaupt: What happens if the Treasurer is selling universities?

An hon. member: What happens if an election is coming?

Hon. Mr. White: If somebody in the brokerage business selling stocks and bonds came out with this kind of claim, first of all the newspapers I suspect wouldn't print it; and second I suspect that person might find his licence in jeopardy. I see time and time again the media, here in Toronto in particular, accepting every prediction about higher prices—

Mr. Breithaupt: Sounds like the member for Fort William (Mr. Jessiman) to me.

Hon. Mr. White: —which thereupon forces potential buyers into the market when they don't want to go.

I think that's a very great mistake. I'm not suggesting there be legislation passed, I think that's not the answer; but I do think a little more self control on the part of the media about some of these outlandish claims—

Interjections by hon. members.

Mr. Breithaupt: They must be getting to him.

An hon. member: Don't blame the press now.

Hon. Mr. White: —which no doubt on occasion at least are for the purpose of stimulating this month's business, would be very much in order.

Interjections by hon. members.

Mr. Bullbrook: Is this the senator from Georgia?

Mr. Speaker: Supplementary?

Mr. R. F. Nixon: Putting aside the—

Mr. Breithaupt: They're going to have to sharpen their pencils too.

Mr. Speaker: Order please. The Leader of the Opposition with a supplementary.

Mr. R. F. Nixon: Putting aside the personal views expressed by the Treasurer, which are critical personally of the president of the Canadian Real Estate Association and the press in Metropolitan Toronto, surely he does accept the fact that the costs of housing are enormously high, and in fact out of the reach of the ordinary wage earners in this city and in this province. Why would he not now at least consider following the initiative from the government of Canada in removing at least part of the sales tax on building and construction materials?

An hon. member: Which this government increased.

Mr. R. F. Ruston (Essex-Kent): We thought the Treasurer was going to take it all off.

Hon. Mr. White: I heard these predictions last June. All kinds of real estate salesmen were saying, "Buy now because you won't be able to afford it later." The fact of the matter is that last May the average house in this city sold for $57,000, and the last numbers I saw were that the average price had decreased to $54,000. So there are some predictions down the drain.

Interjections by hon. members.

Mr. R. F. Nixon: People have enough to do to live. So the Treasurer's not prepared to do anything?

Mr. Speaker: A supplementary; the hon. member for Wentworth.

Mr. Deans: A supplementary question: Given the nature of the real estate business and the fact that they work on commission, which in itself makes it more desirable for them to attempt to inflate prices, is there any action contemplated by the government to somehow or other alter the method of the

sales of realty to reflect other than simply a commission arrangement based on the sale price of the product?

Hon. Mr. White: No, sir.

Hon. A. K. Meen (Minister of Revenue): What does the member suggest?

Mr. Speaker: The Leader of the Opposition. We're straying away from the original question.

Mr. Deans: Supplementary question: Doesn't the Treasurer think that would in fact be beneficial in bringing prices down?

Mr. Roy: Supplementary question.

Mr. Speaker: You may place a new question in a few moments. Does the Leader of the Opposition have further questions?

The hon. member for Wentworth is leading off?

Mr. Roy: Are you ignoring my supplementary?

Mr. Speaker: Yes, I said you could get around to a new question in a few moments.

Mr. Roy: But this is a supplementary, not a new question.

Mr. Speaker: The last one wasn't really a supplementary, so—

Mr. Roy: Oh yes, but I have a supplementary, Mr. Speaker.

Mr. Speaker: Order please. The time is passing. The hon. member will be able to ask a question.

Mr. Roy: Yes, well time is passing because he's being voluble, or whatever.

Mr. Speaker: Order please. The hon. member for Wentworth.

FOOD PRICES

Mr. Deans: Thank you, Mr. Speaker, I have a question of the Minister for Consumer and Commercial Relations. Given the statement of the food profit study and the agreement of the minister that further profit increases in the food industry would be undesirable, what action does the ministry plan to take to ensure that the goal as set out by the president of Dominion Stores of a 100 per cent increase in return not be permitted in the Province of Ontario?

Hon. Mr. Clement: Mr. Speaker, I think that the statement that the hon. member refers to in part two of the food study, and which has been referred to by his leader on previous occasions, should not be really attributed to me. It was an observation—

Mr. Deans: The minister said he agreed with it.

Hon. Mr. Clement: It was an observation contained in that particular part two of the study. The member's leader asked, and has asked over some days, perhaps two or three weeks ago, referring to interim reports —quarter-annual or half-annual reports—of various food companies, what if anything were we prepared to do; and would we entertain the possibility of communicating with these various food companies.

I advised him that I would entertain communicating with these food companies. I also pointed out that interim statements per se are not the be all and end all, that one has to look at a breakdown, in terms of increase in sales and whether capital assets have been sold and fallen into the profit for the period involved, to get the proper picture.

So I am saying, Mr. Speaker, that we are watching this thing. We are concerned. We feel an obligation to draw these things to the attention of the public insofar as they relate to the sale of food. I can't make a definite statement right now as to whether I have signed a letter to all of them, but I know I have written to one or two in the past few days asking for further clarification on the interim earnings reported in the press pertaining to their particular firm.

Mr. Deans. A supplementary question: Notwithstanding the interim earnings, which appear to be reasonable and satisfactory, what does the minister plan to do about the statement attributed to the president of Dominion Stores, that it is the goal of the Dominion chain to increase its profits from one per cent on dollar sales to two per cent on dollar sales, and that it has revised its return on equity from what was once 12 to 15 per cent to its present 15 to 20 per cent as being desirable and attainable?

Hon. Mr. Clement: Number one, I have not seen the statement attributable to the president of the particular chain referred to by the hon. member, but I would welcome any suggestion the hon. member might put across the floor of the House at this time. What would he suggest?

Mr. Speaker: This is not the time to suggest it. Does the member have further questions?

Mr. Deans: I will give the minister a suggestion. I am glad he asked for it. Why doesn't he call in the president of Dominion Stores and tell him that as a result of the food study, it was agreed that the return on investment was adequate—in fact more than adequate—that there is no need to rook the public any further by increasing the profit-taking of the company in the operation?

Hon. W. A. Stewart (Minister of Agriculture and Food): Why doesn't the member check out the returns from the co-op food store in Oshawa?

Mr. Speaker: Apparently there is no answer. Any further questions?

Mr. Deans: Is the minister happy with the answer?

Mr. Lawlor: Does he have the fortitude?

HIGHWAY 6 CORRIDOR STUDY

Mr. Deans: May I ask a question of the Minister of Transportation and Communications? Will the minister revise the study currently under way for a transportation corridor from Nanticoke to Hamilton and enlarge it to include a study of the transportation needs of the city of Hamilton to ensure that an unwise choice is not made, given the capacity of the city of Hamilton to provide arterial roads to carry the heavy load of transportation the Treasurer just told us today is going to be coming back and forth?

Hon. J. R. Rhodes (Minister of Transportation and Communications): Mr. Speaker, if a wider study is required in order to find the most proper routing for any additional highway facilities, then certainly that study will be expanded.

Mr. Deans: May I ask a supplementary question? Is the minister aware that the utility portion of the study which is currently being undertaken must be completed by the end of February, 1975, by his own ministry officials' statement; and that there is not sufficient time between now and then for a comprehensive study, both of the route from Nanticoke to Hamilton and the capacity of the city of Hamilton to provide interior routes for the traffic to use? Will the minister then move to expand the study now so that we won't end up in February having to make a choice which will prove to be disastrous for the overall growth of the total area?

Hon. Mr. Rhodes: Mr. Speaker, I can assure the hon. member that if more time is needed to find the proper routing and the proper highway location, we certainly will expand that study. We are not bound by any specific time limitations on these studies. The desire is to pick the route that will best serve the needs of the communities that will be involved, and we will carry out all the studies that are required.

Mr. Speaker, perhaps I can take this opportunity to reply briefly to a question the hon. member for Wentworth asked me on Nov. 25 concerning these studies, and specifically indicating that the council of Glanbrook had not been contacted by our planners. My information is that the ministry team had met with the municipal technical staffs. Meetings had also been held with the regional government officials as well as the elected representatives of the various municipal councils, and Mayor Jack Hyslop of Glanbrook and one alderman attended the meetings.

Mr. Deans: Well, the mayor was there as a member of the regional council, and so was the alderman.

Hon. Mr. Rhodes: Well, the member will agree then that the representatives of the municipality referred to in his question were there?

Mr. Deans: No, of course, I don't agree they were there.

Hon. Mr. Rhodes: Well, is the mayor not a representative of his community?

Mr. Deans: Does the minister think that the lower tier of the regional government is of no consequence?

Hon. Mr. Rhodes: If the member is suggesting that the mayor is not a representative of his community, I am sure he will be interested to know the member's feelings.

Mr. Deans: He knows me better than to allow the minister to twist it around that way.

Mr. Speaker: Any further questions?

INJURED WORKMEN

Mr. Deans: I have one final question of the Minister of Labour. Is it the intention of the Minister of Labour to meet with the injured workmen who have been in the building consistently for the last week, or close to a week? Does he know whether the Premier has either acceded to, or denied the request which I made to him to meet with these people in conjunction with the Minister of Labour?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I'm not certain of the Premier's intention. I, myself, am prepared to see them again if they wish to see me. I understand that they have four main requests. One of them is 100 per cent compensation for lost wages.

Mr. E. W. Martel (Sudbury East): Right on.

Hon. Mr. MacBeth: Another is that they want their own physicians to be the final arbiter. They are seeking greater safety, with which we concur, of course. They also want the pensions they are receiving to be indexed to the cost of living.

All of these are government policies that apply to the entire number of people who are receiving workmen's compensation benefits. So unless we are changing the policy for everybody I don't see that any special compensation will be made to the present group that is picketing on the main floor.

I will be prepared to see them again. I have seen them once, and I am happy to see them again. But in view of the requests that they are making, I think their requests concern all workmen's compensation recipients rather than just themselves.

Mr. Deans: That's right.

Hon. Mr. MacBeth: As recently as last June the government made its statement on all these positions and it's always under review. I will be pleased to see them again but I can't see any immediate answer to their request—that is by immediate action.

Mr. Speaker: Are there any further questions?

Mr. Martel: A supplementary.

Mr. Speaker: The member for Sudbury East.

Mr. Martel: Surely, in view of the minister's answer, it's time that we, as a province, considered compensation based on the destruction of a man's ability to earn rather than on the degree of physical disability suffered.

Mr. Speaker: Are there any further questions? The member for Wentworth.

Mr. Martel: Mr. Speaker—

Mr. Speaker: The member for Wentworth first of all.

Hon. Mr. MacBeth: I gather that was a statement.

Mr. Martel: No, I stated, "Surely, it's time this province," and "is it not time?"

Mr. Speaker: Order, please. Does the hon. member have a question?

Mr. Martel: If it's too difficult for the minister—is it not time?

Hon. Mr. MacBeth: Mr. Speaker, all I can say to that is, as I said earlier, we haven't taken a position for all time on this. We made changes in June. I assume that at some time we will make some changes again, so our position is flexible for the next time we make changes. All I'm saying is that I can't see any immediate changes.

Some movement in the direction that the member for Sudbury East requested was given in June. His position is that we didn't go far enough. We are reconsidering that, Mr. Speaker, for the next time we make changes in workmen's compensation benefits.

Mr. Speaker: The member for Ottawa East.

CARLETON UNIVERSITY

Mr. Roy: Thank you Mr. Speaker. I have a question of the Minister of Colleges and Universities. I would like to ask the minister for his proposal, or what he has advised Carleton University in the light of his statement a couple of weeks ago. Carleton University is apparently facing at present a $1.1 million deficit and it would appear, and I would ask the minister to confirm whether there is any truth in it, that Carleton will be forced to eliminate St. Patrick's College, which has existed now for some 40 years?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, I know that Carleton has made some proposals or some requests to us. I was just looking for it. Carleton has a problem, as I understand it, with the operation of St. Patrick's College. I haven't yet found whether the original agreement between Carleton—or when Carleton was formed and included St. Patrick's College—included the continuation of the entirely separate staff of registrar and so forth, as I understand it, which is in the college. When I have further information on that I will be able to discuss it with Carleton and I will be glad to keep the hon. member informed.

I might just say, though, that along the lines of what was discussed a few moments ago in the House with the Treasurer, the House would be interested to know that various institutions have anticipated deficits as far back as 1971, according to figures which I have.

To give an example, though, of how accurate their predictions have been, in 1973-1974 the budgets which the provincially-supported universities put forward anticipated a total deficit of $13.5 million. In fact, at the end of the year when they had their books complete, the total deficit for those 14 was $1,018,000. So sometimes the original predictions are somewhat more gloomy than the final result.

Mr. Roy: Supplementary, Mr. Speaker.

Mr. Speaker: Final supplementary.

Mr. Roy: Thank you, Mr. Speaker: Is the minister saying in his answer that in fact he does not believe that the universities will have the deficit they are presently predicting? Second, is that one of the options that has been discussed with Carleton University—the elimination of St. Patrick's College?

Hon. Mr. Auld: I have not discussed any options specifically with any of the institutions, Mr. Speaker, but I am concerned about that particular one because I had an inquiry about it. When I'm a little better informed I'll be able to perhaps discuss something with Carleton and I will keep the hon. member informed.

Mr. Speaker: The member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Supplementary, Mr. Speaker: In view of the fact that a number of universities are predicting financial problems, will the minister reaffirm his statement of Nov. 18 that tuition fees will not be increased for students in Ontario in 1975-1976, despite the lobbying that's being done from within the university community to the Council of University Affairs, and in particular from the president of the University of Toronto, Dr. John Evans?

Hon. Mr. Auld: Mr. Speaker, if the hon. member will read my statement in the House about two weeks ago I think it's pretty clear, and I haven't changed my mind since then.

Mr. Laughren: I read it. All I am asking, Mr. Speaker, is that the minister not renege on that statement.

Mr. Speaker: Order please, the member for Carleton East.

Mr. P. Taylor (Carleton East): Mr. Speaker, I have a question of the minister of—

Mr. Stokes: He is out of order. The last question was from—

Mr. Singer: He is not out of order.

Mr. Speaker: No. The member for Nickel Belt had the last new question.

Mr. Stokes: That was a supplementary.

Mr. Speaker: It was announced as a supplementary, but it was not a supplementary to the original one.

Mr. Foulds: Yes it was.

Mr. Speaker: Order please. The question of the member for Nickel Belt had to do with student fees and that had nothing to do with the original question. The member for Carleton East.

ONTARIO ENERGY CORP.

Mr. P. Taylor: I'm glad to see who is really in charge of the business of this House.

Mr. Speaker, the Minister of Energy mentioned the new Energy Corp. and he said it was to be run on a non-profit basis. However, he also said that investments from non-governmental sources—

Mr. G. Nixon (Dovercourt): What is the question?

Mr. P. Taylor: —may be welcomed in the future, at an appropriate rate of return. My question is: If the corporation is to be non-profit, where would the appropriate return for private investors come from?

Hon. Mr. McKeough: Mr. Speaker, I did not say it would be non-profit—I'm looking for the exact words here—what I said was that "the primary concern would not be profit."

Mr. Sargent: Supplementary, Mr. Speaker: At what point are we in the consortium, with regard to the private interests? Are American concerns taking part in this; or what place are we at now?

Mr. Bullbrook: Answer the question.

Mr. Speaker: The original question had to do with profitability of the corporation.

Mr. Sargent: In regard to the question from the member for Carleton East, I ask: At what point are we now with regard to the consortium of the private interests? Are American firms to be part of this?

Mr. Speaker: That is entirely a new question, if I may point out with respect. Does the minister wish to answer it and we'll skip this?

Hon. Mr. McKeough: I'm afraid I don't know what the hon. member is talking about.

Mr. Sargent: The consortium in the hydro-electrical nuclear power programme; the private sector.

Mr. Speaker: Order please. Perhaps the member could get his question in order before we get back to him. The member for Thunder Bay.

Mr. Sargent: Mr. Speaker, just a moment. He knows what I am talking about. He doesn't know the answer, that's all.

Mr. Speaker: No. Order please. It was not a supplementary question.

Mr. Sargent: What a dummy.

HAZARDS ON HIGHWAY 17

Mr. Stokes: Thank you, Mr. Speaker, I have a question of the Minister of Transportation and Communications: In view of the representations that I made to the minister several weeks ago about the hazards on Highway 17 immediately east of Schreiber, which has checkerboard signs and 45 mph speed restrictions, is the minister now prepared to do something more than install a flasher on a newly constructed section of Highway 17 where two young people lost their lives over the weekend?

Hon. Mr. Rhodes: Mr. Speaker, first of all I'd like to thank the hon. member, who did advise me that he would be asking this question and gave me an opportunity to get some information. Immediately east of Schreiber, as I'm sure the hon. member knows, Highway 17 skirts a severe rock outcrop. Whereas the normal Trans-Canada standards include maximum horizontal curvatures of three degrees, this section of Highway 17 skirting the rock outcrop is a six-degree curve. Reducing this curve would involve cutting into the rock outcrop for approximately one-half mile. Based on an estimate prepared in the spring of this year, the cost would be $800,000. The rock outcrop is some 100 feet high.

The eastbound traffic approaches this portion of the highway from a 40-mile-an-hour zone established in Schreiber. Hence there has not been as much difficulty there. However, westbound traffic—and I understand that this is what caused the accident that the hon. member referred to — approaches at much higher speeds. If the warning signs are not heeded, this traffic will experience difficulties. The curve is posted with 45-mile-an-hour advisory speed signs with checkerboards and advance curve warning signs.

I have simply presented that information to have it on the record. I would like to say to the hon. member that I do not consider that sort of situation sufficient for a Trans-Canada Highway standard and I have asked my officials to look into clearing up that situation.

Mr. Speaker: Supplementary?

Mr. Stokes: In the interim until the ministry has had the engineering studies done will he ensure that there are flashing signs put on it, prior to any engineering or realignment?

Hon. Mr. Rhodes: Yes, Mr. Speaker, we will install a flashing amber light on the advance curve. There will be a warning sign facing westbound traffic.

We've had some delay. The problem was to get power out there, and so we are going to put in the battery operated flashers until such time as the power line can be brought out.

Mr. Stokes: Prior to realignment?

Hon. Mr. Rhodes: Yes.

Mr. Stokes: Thank you.

Mr. Speaker: The hon. member for Rainy River.

USE OF DRUGS IN SPORTS

Mr. T. P. Reid (Rainy River): Yes, Mr. Speaker, I have a question of the Provincial Secretary for Social Development. In that great think tank up on the fourth floor, does she have any people looking into sports matters as they relate to the use of drugs in sports, such as hockey and football and specifically matters such as cross-Lake Ontario swimming, so that guidelines can be laid down for these things?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, may I respectfully request my hon. colleague to direct that question to the Minister of Community and Social Services (Mr. Brunelle) when he is in the House?

Mr. Roy: Yes, but he's not here.

Mr. Speaker: Any questions from the New Democratic Party? The hon. member for Stormont.

LAND ASSEMBLY IN EDWARDSBURGH TOWNSHIP

Mr. G. Samis (Stormont): Mr. Speaker, I have a question of the Minister of Industry

and Tourism. In view of the comments made this week by reeves in Dundas and Stormont counties regarding the land assembly in Spencerville, could the minister inform the House of the exact role being played by his department in the land assembly in Spencerville?

Hon. C. Bennett (Minister of Industry and Tourism): I didn't hear the last part of the question.

Mr. Samis: Could the hon. minister inform the House of the exact role being played by his ministry in the land assembly in Spencerville?

Hon. Mr. Bennett: None, Mr. Speaker.

Mr. Samis: Supplementary, Mr. Speaker.

Mr. Speaker: We will allow the member one supplementary.

Mr. Samis: Will the minister consult with the reeves, the city council of Cornwall, and the township councils, regarding future plans for the development of Spencerville? Will he consult them?

Hon. Mr. Bennett: Mr. Speaker, if it should be the wish of the council, if they have a problem we are always open and ready to meet with them and discuss the possibility of industrial expansion.

I toured eastern Ontario, Spencerville and that general region this summer, and met with the mayors, reeves and their industrial commissioners, even in cases where some of them happened to be members of the local council. We have clearly indicated to them, both through the Ministry of Treasury, Economics and Intergovernmental Affairs and through my ministry, that we are in the process of putting together an industrial development plan to service municipally-owned industrial parks, that will help them to exploit and put on the market, much more rapidly than usual, lands for industrial purposes.

I have indicated very clearly to those mayors right from the Brockville area, Spencerville area and so on, that we are prepared to met with them if they believe they have a specific problem prior to the announcement of the programme of industrial development.

Mr. Speaker: The hon. member for Downsview.

POLICE RAID ON HOTEL

Mr. Singer: Mr. Speaker, I have a question of the Solicitor General. Could the Solicitor General advise whether or not he has as yet received the report from His Honour Judge Pringle, inquiring into the Landmark incident? If he has not, when does he expect it; and if he has it, when will he table it?

Hon. G. A. Kerr (Solicitor General): No, Mr. Speaker, I haven't got the report. I understand that Judge Pringle is working on the final stages or touches of the report with the counsel, Mr. Kellock, and he hopes that it will go to the printer any day now. That is the latest information I have.

Mr. Speaker: Any questions from the New Democratic Party? The hon. member for Windsor West.

ONTARIO ENERGY CORP.

Mr. E. J. Bounsall (Windsor West): I have a question of the Minister of Energy, Mr. Speaker. Will the Ontario Energy Corp. be provided with sufficient funds in order to develop a viable research group or to commission research outside the corporation, so that research and development can take place in the area of hydrogen produced from electrolysis as a supplement in the replacement of natural gas sources?

Hon. Mr. McKeough: Mr. Speaker, that may well evolve over a period of time. This is something for the corporation ultimately to have a large say in determining, but I would not put as high a priority on research projects in the initial stages as perhaps may occur later. In most instances, the policy of the ministry and of Ontario Hydro over the years has been to monitor others' research and to ensure that in their view sufficient research was being done commensurate with the rewards which might at some point be obtained. By and large I think we are satisfied that within the capability of the country a good amount of research is being done, at the federal level particularly, by some of the universities. We don't propose, either in the ministry or in my view in the corporation, to get into a large spending programme in terms of research into energy projects at this point in time.

Mr. Stokes: Supplementary.

Mr. Speaker: One supplementary.

Mr. Stokes: Will the minister advise if it will be the intent of the Crown corporation to get involved in exploration and development of good chances for petroleum prod-

ucts in the northern part of Ontario, particularly off-shore James Bay and Hudson Bay, as Aquitaine is doing?

Hon. Mr. McKeough: As joint ventures, perhaps, yes.

Mr. Speaker: The member for Grey-Bruce has been wanting to get up for quite a while.

NUCLEAR ENERGY PROGRAMME

Mr. Sargent: A question of the Minister of Energy. Are multi-national firms being considered as part of the consortium to get into the nuclear programme of Hydro? Who are they; and are we past the point of no return, in that the minister is going to go this route?

Hon. Mr. McKeough: The answer to the first question is no; and therefore the other two are redundant, I think.

Mr. Sargent: I asked him who the firms are. I asked which firms are being considered now.

Mr. Speaker: Order, please. That is not supplementary to the answer.

Hon. Mr. McKeough: I made that information available some months ago as to who the proposers were; I believe I answered that question here in the House.

Mr. Sargent: Not to me, he didn't.

Hon. Mr. McKeough: I'll be glad to get it for the member.

Mr. Sargent: I'd like to know who they are.

Mr. Speaker: The member for Sandwich-Riverside.

Hon. Mr. McKeough: I made public some months ago the two proposals which were received by Ontario Hydro and which are still being considered by Ontario Hydro.

Mr. Sargent: They are still being considered?

Hon. Mr. McKeough: Yes.

Mr. Speaker: The member for Sandwich-Riverside.

FLASHING LIGHTS ON SCHOOL BUSES

Mr. F. A. Burr (Sandwich-Riverside): I have a question of the Minister of Transportation and Communications. It's very similar to the question I asked the other day, but I think he misinterpreted my question so I'll rephrase it somewhat. It regards the flashing lights on school buses.

Is the minister considering changes in legislation to give discretion to local school boards and the local operators of school buses to determine when, where and whether traffic conditions warrant the use of flashers, regardless of speed limits?

An hon. member: He answered that in the estimates.

Hon. Mr. Rhodes: Mr. Speaker, I believe my reply the other day—and I believe I understood the question—was that I think that discretion is already allowed to the operators of buses as far as the turning on of these lights is concerned. I don't think they are required by law to turn them on when they stop. It is when they are on that traffic is required to stop for the bus regardless of the speed limit. At least that is what we propose to bring before the House.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. Burr: Supplementary.

Mr. Speaker: I think we have rehashed it before. Time is rapidly passing. The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I had a question of the Chairman of Management Board. I see he slipped out, but in his absence I'll ask the Minister of Agriculture and Food.

Mr. R. F. Nixon: Ask them both.

Mr. Sargent: He is back in.

SEVERANCE PAY TO CONTRACTUAL EMPLOYEES

Mr. Gaunt: Mr. Speaker, I have a question of the Chairman of the Management Board. When is the government going to come up with a policy in regard to severance pay, for people who are on contracts particularly?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The subject matter, if it is current, will be within the purview of the Civil Service Commission. I am not prepared to answer it.

Mr. Bullbrook: It has nothing to do with the Civil Service Commission, it's contract.

Hon. Mr. Winkler: I am not prepared to answer it anyway, today. I'll find out and let the member know.

Interjections by hon. members.

Mr. Gaunt: Supplementary, Mr. Speaker: Could the minister get the information and report?

Hon. Mr. Winkler: That is what I said.

Mr. Speaker: The member for Sandwich-Riverside with a new question.

ONTARIO ENERGY CORP.

Mr. Burr: Mr. Speaker, a question of the Minister of Energy: Does the minister contemplate in his new corporation any research and development of solar energy in any of its forms?

Hon. Mr. McKeough: Well I think I just answered that question. The research will not have a high priority.

Mr. Speaker: The member for Windsor-Walkerville wanted a question earlier.

TEACHER-SCHOOL BOARD PROBLEM

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker, a question of the Minister of Labour: Mr. Speaker, do any of the minister's officials have an input in an attempt to resolve the problem between the school teachers of the province and the various boards? Apparently approximately 108,000 pupils may be affected before the end of this week.

Hon. Mr. MacBeth: Mr. Speaker, the mediators of my ministry have been working with these people trying to do their best with them, but so far without too much success. We are continuing and will be pleased to continue and hold ourselves available at any time either party thinks we can be of service to them.

Mr. Speaker: The member for Sudbury East.

ONTARIO ENERGY CORP.

Mr. Martel: Is it the minister's intention to take over the uranium industry via this Crown corporation?

Hon. Mr. McKeough: Mr. Speaker, the investments will be made, of course, by the energy corporation and not by the minister. As its officers have not yet been appointed I really don't know what their initial intentions might be.

Mr. Laughren: Get it out of the hands of Stephen Roman.

Mr. Speaker: The oral question period has expired.

Petitions.

Mr. Roy: Mr. Speaker, I have a petition. The petition, Mr. Speaker, is in relation to certain citizens in the riding of Prescott-Russell pertaining to the rerouting of Highway 17 and the opening of new Highway 417.

Mr. Speaker, the petition is in French and with your permission, I would like to address the petition to the House on behalf of the 50 citizens who have signed the petition from the riding.

The petition, Mr. Speaker, is addressed: Au Lieutenant-gouverneur et à l'Assemblée législative—in other words, to the Lieutenant Governor and the legislative assembly.

Mr. Speaker, on their behalf, I would like to read the petition:

Cette pétition provisoire des employeurs et employés (ées) et autres personnes frappées par l'impact économique négatif de l'ouverture de la route 417.

Nous les soussignés (ées) résidant sur les bords de la route 17 entre Ottawa et Hawkesbury demandons que les recommandations suivantes soient acceptées pour aider à dédommager contre l'effet néfaste sur notre économie locale.

1. Que les trois sorties sur la 417 à Ottawa (Queensway), Van Kleek Hill et Hawkesbury soient élargies, améliorées et aménagées à un niveau acceptable de sécurité, d'information et d'aise d'accès, afin d'encourager et de continuer l'essor touristique de notre région.

2. Que des panneaux routiers bilingues tels que ci-joints soient installés dans le plus bref délai pour informer les voyageurs et leur offrir un juste choix d'alternative de route.

Toutes les personnes affectées ont donné leur appui entier à cette pétition le 23 novembre 1974, lors d'une réunion spéciale à Alfred, Ontario.

And so the petition, Mr. Speaker, is signed by 50 of the citizens and addressed to the Lieutenant Governor and the legislative assembly.

Mr. Speaker: Presenting reports.

Hon. Mr. Rhodes presented the annual report of the Ontario Northland Transportation Commission for the year ended Dec. 31, 1973.

Mr. Speaker: Motions.

Introduction of bills.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

Hon. Mr. Rhodes moves first reading of bill intituled, An Act to amend the Public Transportation and Highway Improvement Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Rhodes: Mr. Speaker, this bill provides for certain decisions concerning matters of local concern to be finalized at the municipal levels of government without the necessity of obtaining the approval of the Ministry of Transportation and Communications, and relieves municipal governments of some administrative requirements.

ONTARIO ENERGY CORP. ACT

Hon. Mr. McKeough moves first reading of bill intituled, An Act to establish the Ontario Energy Corp.

Motion agreed to; first reading of the bill.

Mr. Speaker: Does the minister have any further statement?

FAMILY BENEFITS ACT

Mr. Martel moves first reading of bill intituled, An Act to amend the Family Benefits Act.

Motion agreed to; first reading of the bill.

Mr. Martel: Mr. Speaker, the purpose of the amendment is to remove any reference to the sex of the parent, thereby enabling either the mother or the father of the child to be eligible for benefits.

Mr. Speaker: Orders of the day.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 9, An Act to amend the Ontario Human Rights Code.

Bill 82, An Act to amend the Corporations Tax Act, 1972.

Bill 129, An Act to amend the Moosonee Development Area Board Act.

Bill 130, An Act to amend the Ontario Municipal Improvement Corp. Act.

Bill 137, the Community Recreation Centres Act, 1974.

Bill 139, An Act to amend the Judicature Act.

Bill 144, An Act to amend the Municipal Act.

Bill 152, An Act to amend the Loan and Trust Corporations Act.

Clerk of the House: The 10th order, House in committee of the whole.

ONTARIO BUILDING CODE ACT

House in committee on Bill 62, An Act to provide for an Ontario Building Code.

Mr. Chairman: Mr. Minister?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Chairman, before we proceed in committee on this bill, I did want to bring to the members' attention a number of amendments which I have prepared and am putting forward, and which I have forwarded to each member of the House as a reprint of the bill. I would move that the same be an amendment. I don't know the wording that I should use, but I will require the concurrence of the House, I believe, rather than dealing with each specific amendment, that the various amendments be the bill before the House.

Some of the amendments reflect the wishes, Mr. Chairman, of the municipalities, with whom there has been substantial discussion and consultation through the Provincial-Municipal Liaison Committee; others stem from suggestions from the members during the second reading; and also as a result of our consultation with members of all the political parties here in this House, over the summer months.

As the members are aware, I communicated with members of all parties during July and invited consultation and dialogue on our legislation before the House, in order to facilitate the passage of the legislation and deal with technical amendments and questions.

Needless to say, Mr. Chairman, I am indebted to those members of the Legislature who took the time and trouble to consult with us. Without naming them, I want them to know that I do appreciate their co-operation

over the past many months in connection with this particular piece of legislation.

Mr. Chairman: It is the amended bill, I guess, that would be debated.

Mr. J. A. Renwick (Riverdale): I certainly don't have any objection to it; but I would like to understand what the procedure is that we are following, if this is the method. As I understand it, normally the minister would have had to stand in his place and move each specific amendment to the bill. I just want to know definitively what motion it is that we are being asked to agree to in changing the procedure of the House.

I understood the Clerk to intervene and say that he had been doing it for the past 20 years. I make the same point I have made before. It is a fact that if we have done it for 20 years, and it was incorrect in the first place, it doesn't make it correct 20 years hence.

As long as we know what the procedure is, we, as always, will co-operate.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, in this matter I believe we are being asked by the minister to accept the bill as reprinted as being the bill approved on second reading, so that each of the amendments, either sidelined or underlined, need not be separately put.

Hon. Mr. Clement: That's right.

Mr. Breithaupt: Since many of these amendments and suggestions did result, I think from the involvement of certain members of the opposition and others with respect to the suggested changes, we are prepared to accept this reprinted bill, so that each of these amendments need not be put separately. There may be other amendments or matters that can be proceeded with, but we are prepared to save the time of the House by avoiding that separate procedure on this occasion.

Mr. Renwick: If the minister would so move we would support it.

Hon. Mr. Clement: I would so move with the concurrence of the House. Since the bill is reprinted, the member for Kitchener has put it ably. That is my understanding as to how we could proceed in this fashion, rather than moving each individual amendment which has been put before the two parties.

Hon. Mr. Clement moves that the reprinted bill be substituted.

Motion agreed to.

Mr. Chairman: Mr. Minister, have you anything to say further before we proceed with the bill section by section?

Hon. Mr. Clement: No, I have nothing further to say at this time, Mr. Chairman.

Mr. Chairman: Then on section 1 of the bill, the hon. member for Riverdale.

On section 1:

Mr. Renwick: Mr. Chairman, we may as well deal with it at this point. The definition of "building code" means the regulations made under section 18. Would the minister not tell us whether the building code, as such, is finally established, and if there are any significant changes from the draft which was produced for comment and discussion?

Hon. Mr. Clement: Mr. Chairman, the code which the hon. member for Riverdale has before him and which he referred to in his question is not in the final form, as I understand it. It is substantially in the final form.

I have had some discussions, particularly arising out of two questions directed to me by, I believe, the member for Kitchener and referring to safety devices and screening in high-rise residential dwellings. I am also advised by my staff, as a result of those questions, that the code was silent insofar as screens or securities for screens in highrises were concerned. Something like that will be inserted.

Where there have been any obvious omissions we hope to fill those omissions before presenting the code to the Lieutenant Governor for her approval. But I stress that the code before the members is substantially in the form developed by the various technical committees that contributed to the creation of that document.

What I'm really saying, Mr. Chairman, is that in areas where we have been silent through oversight, we obviously will add those; otherwise, the technical side will be substantially in the form before the members of the House.

Mr. Renwick: Mr. Chairman, I take it then the building code is in the form where it can be promulgated relatively expeditiously. Has the minister any indication as to when he expects this bill to come into force in the province?

Hon. Mr. Clement: Mr. Chairman, I'm not going to answer that right now because I want to get some advice from my technical director, who has been dealing very closely with the PMLC and the various technical people who have been working in connection

with this. But I would think it would be in the very near future. You might properly ask, "What is the very near future?" I think I would have to indicate that it is probably something within the next three or four months, as opposed to a year from now or something of that nature.

Mr. Renwick: Thank you, Mr. Chairman. Can the minister give us any indication as to who will be the director responsible for the administration of the Act under the minister?

Hon. Mr. Clement: Yes, the director will be Mr. Graham Adams of my ministry who I believe was made the director back in 1970 when the committees that developed the code were created.

Mr. Chairman: The hon. member for Perth.

Mr. H. Edighoffer (Perth): Mr. Chairman, I notice there was a slight change made in section 1(b), the definition of "building." I just wonder if the minister could explain why the area was reduced from 150 sq ft to 100 sq ft?

Hon. Mr. Clement: Yes, Mr. Chairman. That was reduced from 150 sq ft to 100 sq ft at the request of the municipalities. They pointed out to us the various reasons why smaller buildings should be subject to the code. There are exceptions to the code, as the hon. member for Perth well knows, because we touched on those in our discussions on second reading.

In answer to the member for Riverdale as to when it is hoped to be implemented, I'm advised by the director that the date is April 1, 1975.

Mr. Renwick: Thank you.

Mr. Chairman: We're still on section 1. The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Within the concept of the building code and the changes made, could the minister stoop to giving me a detailed rendition as to whether soundproofing of buildings, particularly condominium buildings and, secondly, the installation of central air-conditioning, particularly again in those buildings and in apartment buildings generally, now are adequately covered under the ministry's building code?

Hon. Mr. Clement: No, I cannot reply. I don't know if they are adequately covered technically. I would presume that they are, but I would point out to the hon. member that I have no technical expertise in the construction of buildings. Perhaps if he would bear with me, I might receive the advice of my officials as to whether these things are adequately covered.

I presume that the member means adequate in the sense that the occupants of those premises will have comfort under reasonable circumstances so that they won't be subjected to noise from people next door and that sort of thing.

Mr. Lawlor: But you know the existing conditions in many of these buildings, particularly the flimsy ones being put up now. You can hear everything that goes on six doors away.

Hon. Mr. Clement: Yes, I'm aware that in some buildings this problem exists. Insofar as whether that has been remedied or whether the technical advisory committee has stressed more in terms of safety and in terms of ability to support stresses and strains in weights, I just don't know, but I'll have the information for the hon. member in just a moment.

Mr. Lawlor: Okay.

Hon. Mr. Clement: I'm advised that sound requirements are already in the code. That is airborne sounds. Impact sound requirements are not in the code at the present time. The code is silent insofar as temperatures of rooms are concerned. I think you did say temperatures, dealing with heating or air-conditioning. Temperatures, of course, are governed by the Landlord and Tenant Act insofar as the period from Oct. 1 to the end of April is concerned. Air-conditioning is not mandatory within the code; it's optional. That is the only advice that I have from my officials on it, Mr. Chairman.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: I have one question. I'd like the minister, under item (b) of clause 1, to indicate to me the extent to which the authority of this Act will extend with respect to mines. I notice that at the end of the definition of "building" there is an exclusion that it does not include a structure used directly in the extraction of ore from a mine. It seems to me that that probably leads to some confusion, as to the dividing line of the authority of the inspectors under this Act and the responsibility of those charged with mine safety.

Hon. Mr. Clement: Mr. Chairman, it is my understanding that the technical requirements

for buildings used in the extraction of ore and I'm thinking of—I don't know the technical name—

Mr. W. Ferrier (Cochrane South): Head frame.

Hon. Mr. Clement: Head frame—that those things are set forward in the mining legislation, or the legislation pertaining to mining, and therefore have not been included in this particular piece of legislation. This does include residential buildings in the area, of course, but the head frame and the particular, peculiar type of buildings used in the mining industry are already covered in other legislation.

Mr. Renwick: Mr. Chairman, my only point is that I think the regulations should be quite clear as to the extent to which the jurisdiction of this Act applies and the extent to which the jurisdiction of the corresponding Mining Act applies, so that there isn't some physical area that's not covered by either of the Acts because of a misunderstanding of the point at which the two jurisdictions meet.

It seems to me that it may well be advisable to provide by way of an amendment to the clause dealing with regulations, power to make such a regulation to determine which of the structures used directly in the extraction of ore from a mine are excluded from the operation of this Act, so that the persons responsible for mine safety and the construction of those structures will clearly understand it. I think I've made the point. It just seems to me that perhaps an amendment to the regulatory power would be worth having.

Technically I don't understand the definition of "unsafe." I certainly understand it down to the word "used," but I don't understand "or otherwise unsafe." What you are saying is that unsafe means two things: one, "structurally inadequate or faulty for the purposes of which it is or is likely to be used." I don't have a problem there; that part of the definition is clear.

Part two seems to me to be almost tautology and not to make sense because it says unsafe means "otherwise unsafe." If the definition had said it means "or otherwise inadequate or faulty" then I could have understood the definition. But your definition is in two parts and the second part is a tautology and doesn't say anything. It simply says unsafe means unsafe and I don't think that is a very helpful way to define "unsafe."

Hon. Mr. Clement: You are referring, I take it, to paragraph (m)?

Mr. Renwick: Yes, the actual definition.

Hon. Mr. Clement: We added the word "structurally" in that section, Mr. Chairman, to modify "inadequate or faulty."

Mr. Renwick: That is fine; I understand that.

Hon. Mr. Clement: We felt that this was the better way of carrying out the expression of intent contained in section 9 for that purpose. I am also advised by my staff, Mr. Chairman, the same terminology now apparently is used in the current Planning Act.

Mr. Renwick: I agree with that. I just find a bill which states that unsafe means unsafe doesn't add anything to my knowledge of the bill nor does it assist anyone charged with the responsibility of interpreting the extent of what "unsafe" means.

As I said, if it had read "or otherwise inadequate or faulty," then perhaps one could give some meaning to it. But right now, it says if it doesn't fall within the structurally inadequate provision, then the question of whether it is unsafe falls to be decided as to what the word "unsafe" means. When you look at the definition, of course, there is no definition of "unsafe," apart from "structurally inadequate or faulty." Well, that's a semantic argument and I leave it to the minister and to the courts to solve that one.

Sections 1 and 2 agreed to.

On section 3:

Mr. Renwick: Mr. Chairman, on section 3, the minister may recall that on the second reading of the bill I expressed some immense concern about this establishment of a so-called province-wide building code and then the delegation of the responsibility to each of the municipalities throughout the province, leaving only a residual authority to the province in those areas which are not organized for municipal purposes.

Can the minister, under this clause, give us some idea of the extent to which the councils of the municipalities are going to be obligated to incur additional expense in the number of inspectors they will be required to have for the enforcement of this code? To what extent will the ministry, through the director, enforce standards on the qualifications and other aptitude of persons going to be appointed as building inspectors?

I take it from what the minister said on second reading, rather cursory discussions have taken place with the Treasury as to the additional financial impact to be imposed on municipalities, having regard to the varying

nature of municipalities and their resources and financial abilities to enforce a code like this on a uniform basis across the province. I think there were, therefore, basically three questions I put to the minister.

Hon. Mr. Clement: As the member, of course, is aware, the municipalities already have building inspectors. Our discussions with the municipalities and their submissions to us would indicate that they will not require any additional inspectors to carry out these inspections at the municipal level because they are carrying them out now.

The PMLC advised that it did not anticipate any additional expense insofar as the municipalities are concerned, because the fees charged for the inspections, in their opinion, will offset any increase that might be experienced. We have authorized in the ministry an additional complement of 12 in order to carry out our obligations under the legislation. The anticipated expense, as I recollect it, was about $260,000 for the ministry to cover the salaries of the individuals involved, training, travel, publications, equipment, and this sort of expense.

I think, Mr. Chairman, in spite of the submissions made by the municipalities to us—and we have every reason to accept their submissions and their opinions—I think there might well be some expense; but I don't think it would be substantial. Because of the multitude of tasks that the building inspectors are performing now, if there is ever any transfer of one building inspector from a municipality who obtains employment in another, I don't really anticipate any large expense. A person knowledgeable in one geographic area will automatically be knowledgeable in the other, because the same specifications or requirements will apply, whereas today, different requirements under the various bylaws apply to each and every separate municipality in the province. I don't anticipate that there will be any substantial expense at all insofar as municipalities are concerned.

Mr. Renwick: The second part of my question was with respect to the endeavour to have a uniform standard of qualification for those who are now building inspectors and those who will join the building inspector staff. It may well be that one would have to have some kind of a grandfather clause in operation; but it must be surely the intention of the minister to make certain that, just as in the manner in which assessment has been taken under provincial jurisdiction and the endeavour made to make the standard qualification for assessors uniform, that there must of necessity, in a field equally as important, be responsibility on the ministry to establish standards of training and qualification and background and experience for persons who are going to perform these tasks; not only within the ministry, for the residual area where the province is retaining authority, but also for the other municipalities.

Hon. Mr. Clement: I quite agree. The Act, of course, does not set out any requirements insofar as educational basics, and so on, of inspectors at the present time are concerned. But the member is quite right; we will have to develop standards and eventually, I suppose, include a grandfather clause in the legislation to include those who already perform this function.

But I think that this type of progress with this type of legislation indicates that there must be training programmes eventually developed—maybe at the community college level; maybe at some other level—in order that new people entering, and those who are already in, may upgrade their knowledge.

There are some courses available, I am advised, at the present time. Our people are in consultation with the universities and colleges to develop the training programme, as referred to by the member for Riverdale. I quite agree; it is necessary.

Mr. Renwick: May I follow up on that just for a moment, Mr. Chairman? It did seem to me, again, that that kind of provision should have been included—even though I know these things can't be done overnight—within the regulatory power provided under the Act. So that you have in the initial instance the power to implement, through regulations, the qualifications and standards to be attained by persons in the field. Again, I make it only as a comment; it seems to me to be an oversight in a bill such as this, not to start to provide now for that kind of standardization of qualifications of persons who are going to perform these functions.

Mr. Chairman: The member for Riverdale has finished? The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): On the matter of municipalities appointing the inspectors, I had another representation from a local fire chief on the weekend. In some respects they are not completely happy with the arrangement whereby they must rely on the local municipality to appoint the fire chiefs as part of the inspection team. Does the minister contemplate anything in the

regulations which would require a qualified person to pass on the fireproofing or the fire-related aspects of the buildings, or is this simply going to be left to the municipalities to appoint whom they see fit and qualified to express their opinions on the fire safety aspects of new buildings? Is there going to be anything in writing at all?

Hon. Mr. Clement: The definition section, section 1(h), says, "an inspector appointed under section 3 or 4". That type of inspector undoubtedly will include not only building inspectors, but, as we visualize it, mechanical inspectors, plumbing inspectors, fire inspectors and so on.

I didn't indulge in the discussions with municipalities with reference to this particular matter, but my officials did, and I am advised that in some instances they are going to appoint the fire chief or the safety officer in the fire department as the chief building official. We are well aware of the contribution that the firemen can make; to argue otherwise is just damned foolishness. But the fire chiefs' association met with me in early October and they were concerned. There was some indication that perhaps the bill when originally introduced had been read incorrectly or at least misunderstood.

We had an interesting discussion on that occasion, and I undertook with them that when it came to appointing the Building Materials Evaluation Commission, I would see to it that members of their association would in fact be named by the Lieutenant Governor to fill a role on that particular evaluation commission, because I think they must make a contribution.

I would be concerned if they weren't interested or willing to make a contribution, because their whole purpose would then be somewhat contradicted by their lack of interest in wanting to participate. I also pointed out to them that, secondly, if there was any difficulty in any particular municipalities, we would then consider introducing a regulation to make it inclusive or mandatory.

I got the distinct impression that they were satisfied by that. Their inquiries were very valid, and we had an interesting discussion. They wanted assurance from me at that time, and I gave it to them orally. I did not sign an undertaking, but I suppose my words here in the House could certainly be construed as an undertaking because I think it's important.

Mr. Good: It will be in the regulations that the fire inspectors will be included?

Hon. Mr. Clement: Yes. I think it may be almost unnecessary in most instances, because I can tell you that my own municipality wants the safety officer from the fire department on this. They are very interested in having him involved and for very good reason.

Mr. Breithaupt: Mr. Chairman—

Mr. R. Haggerty (Welland South): Mr. Chairman, may I follow up on that?

Mr. Chairman: The hon. member for Kitchener had indicated that he—

Mr. Breithaupt: I was going to refer to that point as well, but perhaps my colleague from Welland South wants to make some comments also.

I would certainly encourage the minister to involve within the regulations a very clear requirement for the fire safety officials to be strongly involved in this whole programme. For reasons, perhaps of misinterpretation or whatever, they did feel rather left out earlier on. The fire chiefs' association has a strong interest in making sure that new construction and renovations are properly attended to so that the best kind of fire safety is available for all the people of the province.

I hope the minister will make sure, also following the comments of my colleague from Waterloo North, that there will be a very strong position of leadership given to the fire officials in this matter because they are apparently prepared to take it on. If they are prepared to take on this involvement, I think we should certainly encourage it. I hope that the minister's regulations will ensure that representatives of that association are involved at the planning stage and that the active firefighters, be it the chief or the safety officer in a larger community, are particularly involved in the inspection procedures that take place.

Hon. Mr. Clement: Well, my recollection of my conversation with the fire chiefs, with whom I met about six weeks ago, was that I said, "I think you should have people on the building materials evaluation commission to make a contribution at that point, and even more importantly, that you should make a contribution initially, so that when plans are submitted to a municipality, to the building department, the fire department, through whoever it selects to do this, evaluates these plans insofar as fire safety is concerned." I'm quite prepared, if municipalities don't wish to work in that direction, to introduce regulations that will make it mandatory that they

must be approved by the local fire department, if one exists, in accordance with the code itself.

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: I wanted to add a few comments on this particular section 1(j):

> "Municipality" means a city, town, village, township or improvement district or any other municipality having the power to make bylaws under section 38 of the Planning Act.

My two colleagues have mentioned the matter of the concern of the fire inspectors or fire chiefs of the local municipalities, as to just whose jurisdiction the inspection of buildings will fall in. Perhaps there might be a conflict here sometime, not at the present time but later on, as to whose responsibility it is to inspect the building. Would the minister consider including section 19 of the Fire Marshals Act under section (j) here? Perhaps the minister is not aware of that, so I will read it to him. Section 19:

> (1) Subject to the regulations, the fire marshal, deputy fire marshal, a district fire marshal, an inspector or assistant to the fire marshal may, upon the complaint of a person interested, or when he considers it necessary so to do, without such complaint, inspect all buildings and premises within his jurisdiction, and for such purpose may at all reasonable hours enter into and upon the buildings and premises for the purpose of examination, taking with him, if necessary, a constable or other police officer or such other assistants as he considers proper. [I think some of that's in the bill at the present time.]
>
> (2) If, upon such inspection, it is found that a building or other structure is for want of proper repair or by reason of age and dilapidated condition or any other cause especially liable to fire, or is so situated as to endanger other buildings or property, or so occupied that fire would endanger persons or property therein, or that exits from the building or buildings are inadequate or improperly used, or that there are in or upon the buildings or premises combustible or explosive materials or conditions dangerous to the safety of the buildings or premises or to adjoining property, the officer making the inspection may order,
>
> (a) the removal of the buildings or the making of structural repairs or alterations therein;
>
> (b) the removal of combustible or explosive material, or the removal of anything that may constitute a fire menace;
>
> (c) the installation of safeguards by way of fire extinguishers, fire alarms and other devices and equipment and also such avenues of egress, fire escapes and exit doors [and so on].

Would the minister consider adding that under section (j) of this bill?

Hon. Mr. Clement: No, I would not consider adding that, Mr. Chairman, and I should explain why I wouldn't. That section is already in legislation and imposes certain duties on the fire departments. Therefore, I wouldn't take it out of that particular statute to duplicate here in this one, or leave it in both. I am aware, not of the wording which the hon. member was good enough to read to me, but that that is an obligation that is there and must be attended to. The responsibilities are fixed under that legislation and I wouldn't duplicate it in this bill because, in the event that there was any question arising as to an alleged breach of that obligation, which Act polices it? Is it the one Act or is it the other?

I am anticipating really little or no difficulty in this section. The fire chiefs, in my discussions with them, were candid enough to point out that in all the municipalities in Ontario, numbering some 900, they were only aware of about three or four municipalities where, quite frankly, there has been a personality difficulty between someone in the building inspection branch and someone in the fire department of that particular municipality. So while I am anxious to accommodate them and in fact will accommodate them, I am also aware that it really is almost a non-existent problem.

There are all kinds of functions that must be involved here. There is plumbing and there is planning, electrical engineering, fire —all these functions are very, very important, and four of those functions without the fifth is really a waste of time; you have to have the whole package there. If there is ever any difficulty I am quite prepared to put in the regulations the steps that one must go through if those branches, in fact, exist within the municipal building department.

I think I have covered it. I don't want to say it over again.

Mr. Haggerty: The reason I brought it to the attention of the minister is that there are a large number of sections in the building code that deal particularly with fire

matters and fire safety. I think the fire chiefs and the fire organizations in the Province of Ontario are deeply concerned about this; they feel that the legislation that you have drafted here will override section 19 of the Fire Marshals Act. That is why I suggest perhaps section 19 should be included in there. Just as you included section 38 of the Planning Act, section 19 of the Fire Marshals Act must apply in this instance. That's all—you don't have to go into the detail of it, but it is there. It gives them some guarantee that they have the right to discuss such matters.

For example, a senior citizens' home was built in the city of Port Colborne. They moved from two floors to four floors. There was no dialogue between the building inspector and the fire chief of the city of Port Colborne—it is perhaps the same in any community—to say that they had altered the height of the building. I think above all the fire department, the fire chief's officials, should be the persons consulted first. In the first place you can overtax the existing fire equipment and I don't want to get into detail on that; I have discussed it here on a number of occasions in the Legislature. This is of concern to the fire chiefs in the municipality—that they must have a little more voice and say in matters of buildings and construction in the municipality.

Sections 3 and 4 agreed to.

Mr. Chairman: Is there any other section of the bill that anyone wishes to discuss?

Bill 62, as amended, reported.

Hon. Mr. MacBeth moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again.

Report agreed to.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I think we want to go on with Bill 154. The Minister of Consumer and Commercial Relations (Mr. Clement) is prepared to go on with Bill 55, but I think by arrangement the Treasurer, Minister of Economics and Intergovernmental Affairs (Mr. White) wishes to go next with Bill 154. I have just asked that he should be summoned to the chamber, sir.

Mr. Speaker: We will pause for a moment until he comes then, at the pleasure of the House.

Mr. J. E. Bullbrook: This delay is just inviting someone to rise on a point of order very shortly.

Mr. E. Sargent (Grey-Bruce): Why doesn't the minister give up?

An hon. member: Is the minister ready to go?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Sure, I'm ready to go.

Mr. W. Ferrier (Cochrane South): Here comes the Speaker. He's going to lay heavy on us.

Hon. Mr. MacBeth: Mr. Speaker, in view of the fact that the Treasurer is not here I would then ask that we proceed with Bill 55.

Clerk of the House: The 11th order, second reading of Bill 55, An Act to prohibit unfair Practices in Sales to Consumers.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, on a point of order, some of us in this House have a fair load of work to do. We're told to be on deck with respect to building codes, unfair practices, condominium legislation, sales tax requisitioning, Ontario pensions, and we're told a certain order of business. I assure you that it's impossible to keep all the various bills one has spread out in one's mind at one time. Each one of them is very complex. Why can't the Conservatives and the House leader over there see fit to bring these things on in due order, giving us adequate notice so that we can prepare for them, instead of placing the whole opposition at an indisposition with respect to handling these matters?

Mr. Sargent: Right.

Mr. Lawlor: If he's incompetent to do this job, if the Management Board is too heavy for him, why don't they get somebody who can look after the business of this House?

Mr. Speaker: Order, please.

Mr. Bullbrook: That is a valid point of order.

An hon. member: A great big fat one.

Mr. Speaker: The Chair suggests that we continue with the order of business that has been called.

Mr. Lawlor: Will the Speaker communicate my thoughts in this matter to the powers that be around here?

Mr. Speaker: The Speaker will.

Mr. Lawlor: Thank you.

Hon. Mr. MacBeth: Mr. Speaker, my instructions were originally that Bill 55 would be called next, and that is the one that I have announced.

Mr. Bullbrook: That's right. You called the 11th order.

Mr. Lawlor: Here comes the Treasurer.

Mr. Sargent: He's the money banker; just back from the east.

Mr. Speaker: The 11th order has been called, on second reading of Bill 55.

Mr. Bullbrook: Right, let's go.

Hon. Mr. Clement: Mr. Speaker, the order was called but I did not move the bill. So that the House understands, insofar as my role is concerned, an opposition member for reasons known only to himself has to be away for the next three-quarters of an hour. I have conferred with one of his colleagues, who pointed out very candidly to me that he was going to keep the matter of business open until his colleague returned.

Interjections by hon. members.

Hon. Mr. Clement: Oh, I'm not trying to breach any confidentiality, but I'm trying to point out to the House that if we proceed with the Treasurer's bill—because I haven't moved Bill 55 yet—it might well expedite both pieces of legislation before the House at this time. That's the only reason I tell it. I'm not trying to breach any confidence. Mr. Speaker, if I told everything I knew about the member I'm talking about, he wouldn't be able to leave this chamber ever again.

Mr. Speaker: Would the acting House leader like to withdraw the order?

Hon. Mr. MacBeth: Mr. Speaker, the acting House leader is happy to do what the House requests and wants. I think, at this point with the Treasurer here, that we should proceed with Bill 154, the Town of Wasaga Beach Act.

TOWN OF WASAGA BEACH ACT

Hon. Mr. White moves second reading of Bill 154, An Act to amend the Town of Wasaga Beach Act, 1973.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, this bill simply deals with the correction of a deficiency in description of lands with respect to the township of Sunnydale that were annexed to the newly erected town of Wasaga Beach. We presume that the description is now correct, and on the Treasurer's guarantee that it is, we're prepared to support the bill.

Mr. Ferrier: Triple-A rating.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Sir, the late, great Harry Allen, who was MPP for Middlesex South, used to say to his electors during a campaign: "In the last election I promised nothing and I kept my promise." I can't offer any such promise. If it is found to be deficient sometime in the future, we will repair it again.

Just as a matter of interest, if we were not to repair this the town of Wasaga Beach would extend through all of Ontario and, maybe, the entire universe. I will have to ask my friend from Sarnia about that.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion.

Bill 154, An Act to amend the Town of Wasaga Beach Act, 1973.

ONTARIO PENSIONERS ASSISTANCE ACT

Hon. Mr. White moves second reading of Bill 131, An Act to repeal the Ontario Pensioners Assistance Act, 1973.

Mr. Breithaupt: Mr. Speaker, since this bill simply regularizes a matter resulting from the annual provision of the $50 Christmas payment of some years ago, which is no longer needed since we now have the GAINS programme, we are prepared to accept the bill

and to repeal this earlier Pensioners Assistance Act of 1973.

Mr. Speaker: Any further discussion on this bill?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion.

Bill 131, An Act to repeal the Ontario Pensioners Assistance Act, 1973.

Hon. Mr. MacBeth: Mr. Speaker, that brings me back to Bill 135, if the Minister of Colleges and Universities is prepared to proceed.

MINISTRY OF COLLEGES AND UNIVERSITIES ACT

Hon. Mr. Auld moves second reading of Bill 135, An Act to amend the Ministry of Colleges and Universities Act, 1971.

Hon. J. A. C. Auld (Minister of Colleges and Universities): I have found it.

Mr. Bullbrook: Mr. Speaker, I would like to make some short comments in connection with this bill, if we are all assured that it is in order to do so at the present time.

Hon. Mr. MacBeth: It is a little confusing.

Mr. Bullbrook: I don't want a promise from the House leader, just an unequivocal commitment that it's in order so to do.

In any event, this bill on the face of it is not contentious. It's an extension of an ability to regulate capital grant structures under the Act under which the Minister of Colleges and Universities operates. I think though, sir, that it requires some comment today in that it's more than coincidental that a statute of this nature comes before the House that deals with the ability of this minister to control, at least peripherally, the capital programmes of universities and colleges in the Province of Ontario, as he has the right to do, in essence, to control the operational programmes of colleges and universities in Ontario under this statute that he's now amending. It is not just an ability to control capital appropriations but an ability that he has, since he funds colleges and universities operational expenses to the tune of 80 per cent each year, in effect, to control the budgetary requirements and abilities and responsibilities of colleges and universities in Ontario. There is no doubt in that respect.

We, on this side of the House, are prepared to accept the traditional concept of autonomy of post-secondary institutions. We'd never want to do anything at all either to erode or fetter that type of autonomy. The fact of the matter is the predecessor of the present minister, the present Premier of Ontario (Mr. Davis), began a programme of capital availability and a programme of off-year financing under the basic income unit programme that led the universities and colleges in this province to a rightful feeling of some independence and autonomy. And the fact of the matter is, I want to say for one, that I take strong issue with the statement that was made several days ago by the Minister of Colleges and Universities. He stood in his place, and with some expansive appropriation of largesse to the government of Ontario, talked about the 16.9 per cent increase available for operational costs to the colleges and universities in the Province of Ontario. That is just a charade.

The 16.9 per cent figure, of course, as has been said by the president of the University of Toronto, translates itself into an effective rate increase of 7.4. And I want to tell you, Mr. Speaker, how it does that.

First of all, at the University of Toronto they have some non-formula faculties over which they have no control. For example, the bar admission course, which effectuates to them a cost of approximately 0.7 per cent increase this year. That of itself reduces the appropriation and grant to 16.2 per cent.

In addition to that, as President Evans has pointed out quite rightfully, the minister in his pronouncement on the grant structure was pleased to say on page 2:

> In the guidelines I have given to the two councils, I have indicated there will be no increase in student tuition fees; that our policy of accessibility should be maintained; that institutional autonomy should be preserved; and that the global sums I have mentioned should not be exceeded.

The key words there were that there should be "no increase" in student fees. About 20 per cent of the income available to the universities in this province comes from student fees, and, therefore, if you have an income restriction with respect to one-fifth of the

budget requirements of a university, that translates itself into a reduction of about four-fifths of the availability of use with respect to the minister's 16.9 per cent grant; and that meaningfully reduces his grant structure to 13.6 per cent.

In the University of Toronto alone, President Evans points out that under the system of population equating, as of December of 1974 there will be an approximate average increase in university population in the Province of Ontario next year of 5.9 per cent. That fact, of course, means that they will have approximately a larger population responsibility of 5.9 per cent, and that reduces the 13.6 per cent of true grant availability down to 7.4 per cent. And this is what my leader was talking about in questioning the Treasurer this afternoon.

Now, you've got the situation, Mr. Speaker, where a president of a university has stood up—in my knowledge for the first time in the Dominion of Canada—and said to his board of governors: "We've got three alternatives. We've got three alternatives available to us under the present grant formula assistance programme that the Minister of Colleges and Universities announced." And these are the three choices that he makes amply clear in his public statement written for the University of Toronto Bulletin. He says these are the three choices:

"We can maintain quality as much as possible. And we can pay equitable salaries. And we can incur a huge deficit." That's the first choice.

The second choice: "We can pay equitable salaries. We can balance the budget. We therefore can incur massive layoffs and reduce quality."

And the third choice: "We can balance the budget. We can maintain quality and we can pay the lowest possible salaries."

And what they have decided to do in their budgeting at the University of Toronto is opt for the first one. They have decided it is in the best interests of the post-secondary responsibility that they undertake to maintain that quality as much as possible, to pay equitable salaries if they are able so to do, and to incur a huge deficit. I am very much interested in the response of the Minister of Colleges and Universities to see whether he concurs in the response of the Treasurer of Ontario that, notwithstanding their statutory right under the University of Toronto Act to take a position with respect to deficit financing, he is prepared to accept that as a matter of philosophy.

That is extremely important from the point of view of this party. We are not prepared to accept it. We are not prepared to permit universities to say to the minister, "All right, fine, notwithstanding the strictures you've placed upon us, we must insist that for the recognition of our responsibility as far as the maintenance of quality education in the province is concerned, and in fairness to our teaching and non-academic staff, we have to incur a deficit." That's anathema to us; it wouldn't be accepted by a Liberal government, I can say that to the minister now. At no time would it be accepted.

Mr. Speaker: Order, please. I think the hon. member is straying from the principle of the bill.

Mr. Bullbrook: Well, the principle of the bill, as I understand it, is to amend the Ministry of Colleges and Universities Act to permit the Minister of Colleges and Universities to grant to the Ontario College of Art the same capital grant availability and restrictions upon their capital programmes as he has under the statute with respect to other post-secondary institutions. Therefore, the principle of the bill, as I understand it, is an amendment to the Colleges and Universities Act with respect to the grant structure and the rights and responsibilities of the Ministry of Colleges and Universities with respect to the purveying of grants to post-secondary institutions in the Province of Ontario. That is what I am talking about; that is exactly what I am talking about. I might be talking about operational grants, sir, I appreciate that, but I am talking about grants.

I want to say to you, sir, that you are quite right, that maybe I am not on capital grants. I say to you, that we are asking for an amendment to an Act that deals with grants to post-secondary institutions, and that is all I am talking about. I am talking about the attitude of this government with respect to grants, because I tell you this, frankly, Mr. Speaker, we are coming to a crunch in the Province of Ontario with respect to this minister's portfolio—an absolute crunch. The crunch is a financial crunch, that the government is feeling.

We must take a completely new approach to the responsibility of this minister with respect to grants in this province. There is absolutely no doubt about it. If the minister takes these figures he has given to the University of Toronto, and if he extrapolates these figures in connection with the responsibility for equitable increases to the non-academic staff of the University of Toronto,

he leaves to that administration approximately $1 million available with respect to the academic staff of the university in connection with the extension of benefits and salaries for the next fiscal years. Their present budget is $52 million. So he is leaving to that administration approximately a negotiating realm of two per cent with respect to their budget.

I say it is unrealistic and I say it is stupid. I say the fact of the matter is that the government has got to recognize that the then minister some 10 years ago, decided it would be politically advantageous to undertake a community college programme in the Province of Ontario. I say, for one, that the community college programme in its concept is a valid programme, but the government cannot continue to finance universities and colleges in the same formula and with the same responsibility.

The fact of the matter is a university is not just a teaching institution; scholarship has to be, must be and absolutely is a collateral responsibility and requirement with respect to universities. The first thing that the minister is going to do, if he restricts them the way he is under his new formula, is to invite them in effect to do away with scholarship, which is of course the cornerstone of a fine university and the cornerstone of the recognition of the province's universities in the academic world, because community colleges don't have that responsibility.

I tell you frankly, Mr. Speaker, to emblazon and exaggerate, that I for one, as a member of this House, don't regard the chairman of the medical faculty of the University of Toronto in the same light as those people who have a responsibility, professorial or otherwise, in the community college programme. Come December, there will be full-page ads in my local newspaper inviting people to come to Lambton College to take courses in basket weaving, in the dispensing of alcoholic beverages and the like.

Mr. Speaker, I can recall standing here some six years ago and telling you about the advertisements in the Globe and Mail with respect to Lambton College. Do you remember those bedposts of post-secondary education that they emblazoned at a cost of $3,600 in the Globe and Mail? "Come to Lambton College—miles of sandy beaches—60 miles from Detroit—no compulsory attendance—no final examinations." Those were the four invitations to come to Lambton College.

Does the minister think for one moment that we are going to stand for treating the community colleges in the same way as we treat the University of Toronto under a basic income unit formula that equates one with the other? Let's pull ourselves together. Let's be realistic.

The fact of the matter is that we have got to take a look at the money being spent at the community college level and how realistically, having regard to our budget-rated programmes, the Council of Regents and the local boards of governors are undertaking their fiscal responsibility. I don't want to get down to picayune details, but the minister should have been in the public accounts committee two weeks ago when they were questioning the hiring by the chairman of the Council of Regents, who lives in Markham, of a suite of rooms for two nights in a row for the after-hours use of the Council of Regents. Now, suppose that is $60 a night. I don't think that's a great deal of money, having regard to the total budget responsibility of this minister. But I am saying to the minister that there has to be a beginning.

We are not going to vote against this bill per se. There is nothing to vote against. But we wanted to be given the opportunity today to place on the record of this House that we completely, unequivocally, without reservation, take issue with the attitude of the Treasurer of Ontario that any university should be able to undertake deficit financing. That's improper. It's an invitation to disaster as far as our academic responsibility is concerned. The very concept of issuing a debenture on the assets of a university is an anathema and reprehensible.

Doesn't he realize for one moment that if universities begin to get into deficit financing, they know full well when they don't have the capacity to repay that it's the public purse that will repay in any event? Doesn't he full well know that if he's truly undertaking a programme of fiscal responsibility as far as his own budgeting is concerned, then that responsibility is being eroded if he permits the universities to undertake deficit financing?

Mr. Speaker: The hon. member for Nickel Belt.

Mr. F. Laughren (Nickel Belt): Thank you, Mr. Speaker. I welcome this opportunity to debate the expenditures of the Ministry of Colleges and Universities.

I have also expressed concern in the past, and I continue to feel concern, about the way that money is being spent within this ministry. However, I disagree fundamentally with the member for Sarnia—not that I think that will bother him very much—in terms of his

concern about the expenditures of the colleges. I think the argument that they should not offer courses of a diversified nature, and that they are wasting money when they do that, is not a good argument. I think we have reached a stage in Ontario, and in other advanced societies, where learning is a life-long experience. That's a principle that most of us believe in today, and I do not think that necessarily implies frivolous spending on the part of the colleges and universities.

I don't condone the advertisements extolling the beauties of the Sarnia area, the miles of beaches and the lack of compulsion for attendance; not for a minute. I am concerned, though, about what has happened within the colleges in particular. I would go back once again to the basic documents of those colleges, in which it was stated that there was going to be created in Ontario a new kind of education, the kind of education that would not be walled in within institutions but would, indeed, be inseparable from the community in which they were located.

They then proceeded to build the institutions and the campuses across the province with no thought to the principle of those basic documents that they'd be inseparable from their community. That's where the mistake was, and once that course was taken it seemed to be irreversible. Then several years ago when the ministry announced the freeze, or the moratorium as it was called, on capital spending, the colleges in particular were aborted in the middle of their development, unlike universities, which had matured as institutions. Then the ministry wonders why they cannot get by without more buildings.

Once that route was taken, once that direction was set—by the ministry, not by the institutions—then there was no turning back and they, indeed, had to house their various programmes. If the enormous sums that were poured into the buildings in the colleges had been put into programmes and put into sending people out into the field and had been concentrated on making the institutions at one with the community, there would never have been a need for a moratorium. Indeed, the minister could have started the colleges with a moratorium and allowed them to develop in the community and to utilize facilities that were already there.

It's really strange that, at a time when we are talking about increased utilization of our educational facilities in the province, the colleges are building more and more, in terms of making the institutions larger, and at the same time there is an enormous number of unused facilities. And the government has not seen fit to make it mandatory for boards of education, for example, or for post-secondary institutions to make those institutions or facilities available to the public. I think most of us could point out cases where school boards in our own communities just plain and simply do not co-operate with the community. That's as true today as it was 10 years ago. Well, I shouldn't say that. I think the attitudes are changing somewhat, but certainly not nearly as much as they should be.

I'm wondering whether or not the minister would be prepared to talk about that for a moment when he talks about this particular bill, in terms of the expenditures of these institutions and also in terms of allowing places like Ryerson and the Ontario College of Art to diversify their locations somewhat in the province, and to shed a little light on whether or not we can hope that in the years to come, regarding this kind of post-secondary education—and it really, truly is education and I believe it belongs in this ministry, whether it be a museum or an art gallery—he's prepared to ensure, through his allocation of funds to these institutions, that they do become more diversified in their locations throughout the province.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, it's been interesting to watch a certain sequence develop this afternoon with respect to post-secondary education within the province.

Members will recall, first of all, that our afternoon started with a question from the Leader of the Opposition (Mr. R. F. Nixon) that followed certain comments made by the president of the University of Toronto. Those questions, of course, dealt with the concerns of that gentleman with respect to the financing of universities in the province.

Second, we've heard alluded to the various problems which all the university presidents now find they are sharing as a result of the financial crunch that they are now facing. And, I might add, the newly installed president of York University, now that he is on the other side of the financial fence, realizes as well the plight the universities have been put into because of the operations of this government.

The next step in the chain is the response made by the Treasurer to the questions which were asked by my leader. His response was in several areas. The first one—and it was rather more interesting than some of his comments—was that, as he views the situation, things are

much better here than they are in Mexico. That, I am sure, is of some consolation to certain of the minister's supporters. But the next point that he raised was that the University of Toronto, as are other such institutions, is completely independent. They have their own statutes; they have their own boards; and, of course, the government would not interfere in their financing.

Then, finally, we come to this debate. And we see in this bill, in an amendment made to this ministry of Colleges and Universities Act, 1971, the final point; and the point is that the buck stops on that minister's desk. There is where the responsibility lies.

We can talk about the student-teacher ratio; whether it is better here than it is in Mexico or not. We can talk about the problems that universities are facing, and the alternatives that are open to them. Then, of course, we can talk about the response that the Treasurer has made as to the independence of universities and our desire not to interfere with them.

But it all comes back to haunt us when we debate a bill like this that actually puts the financial strain where it is obvious to everyone within this province. And that strain is put when there is an amendment adding another institution to the list which the minister has for determining the amount of capital expenditures. Because when the determination of capital expenditures—just as the determination of the contribution for current expenditures; which is some 80 per cent or so—comes back to the desks of the Lieutenant Governor in Council, then we certainly know where the obligation is to set the guidelines and the patterns in the first place.

The Treasurer cannot escape the responsibility which this government has. The minister, as well, in bringing forward an amendment like this, regularizes what properly should be the case, the matter of approval of certain debentures and the completion of the list of those institutions for whom that approval may be sought. But let's not pretend that this amendment does anything more than complete the enclosure in which the universities, the colleges of applied arts and technology, and these other institutions herein mentioned, must operate. Their operations are, in fact, circumscribed by the ministry. The funds which they have are, in fact, circumscribed by the policies of this government. To pretend otherwise is to court disaster in higher education.

Certainly this amendment will pass, Mr. Speaker, because the addition of this institution properly should be on the list of those institutions for whom this kind of financing may be approved from time to time.

We are all aware that there are certain financial restraints which are facing this government, as the Treasurer stated today. You see, Mr. Speaker, the problem is that over these last few years the government has been able to promise everyone almost everything, and now those rather overfed chickens are coming home to roost. They are coming home to roost in the civil service; they are coming home to roost when it comes to capital expenditures at the university level; they are coming home to roost when we talk about the new requirements for highways; they are coming home to roost when we talk about transportation generally.

Throughout every ministry thesse problems are now starting to come to the fore. And the reason they are coming to the fore is because the ministry in its wisdom—or what I would think more likely, its lack of wisdom—has not kept a proper financial control over the expenditures of the government. We see it in the deficits which we are going to be burdened with in this province this year.

So, we can go on, as we have done in the budget debate and in the Throne debate that many members have entered into, but the point that I want to leave with respect to this debate, Mr. Speaker, is that this is where the buck stops. It stops with the Ministry of Colleges and Universities. It doesn't stop, as the Treasurer has pretended, with the independence of the post-secondary education institutions within the province. They have very little effective control over the financial plight in which they find themselves. I suggest that for the government to pretend otherwise will be a very sorry passage in the future development of universities and other post-secondary institutions.

We certainly cannot allow, as my colleague from Samia has said, the distinguished programmes of universities which we have to go into disrepute. We obviously can't allow Convocation Hall to be mortgaged because, eventually, the people of this province will have to pay to get institutions out of their financial difficulties. What we must do, and what the minister's responsibility is surely, is to make sure these difficulties do not arise to overburden the other work which the institutions must do in the first place.

We will support the bill because, of course, it simply adds one item to an otherwise complete list. But I suggest, Mr. Speaker, that the facts behind this bill and

the attitude and circumstance in which we find ourselves, as we debate a bill like this, are going to be a very interesting pattern for the minister to live with over the next few months.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, the last time I was in Mexico City visiting Quetzalcoatl, I think it was, to Teotihuacan, the buildings had fallen into ruins. They were scaling; the paint hadn't been put on them for an enormous number of years. As compared to the universities in the Province of Ontario, I assure you, Mr. Speaker, the bull ring was much better than anything we possess. I think the squash courts had much to commend them. The swimming pool was perhaps the largest in the western hemisphere but the student-professor ratio of 100 to one just boggled the mind.

If you're going to get any sort of qualitative education, then surely, the universities ought not to be the focal point of that purblind, boneheaded, quantitative analysis in terms of the students over against the number of teachers.

Mr. Laughren: More scholars per dollar.

Mr. Lawlor: The last time I was over there I used to sit all day all alone with a single professor. He never did understand me, nor I he, but we exchanged notes and I thought it was to our mutual benefit. Light bulbs went on from time to time.

Mr. Bullbrook: They didn't speak to each other?

Mr. Lawlor: I thought this was what the idea of education was. The price to the public purse, for our little tête-à-tête of an afternoon, I suppose, was simply astronomical. But, as we both emerged, we shook hands and we said we thought it was bloody well worth it.

Mr. Breithaupt: Not entirely objective.

Mr. Lawlor: The minister can make a judgement of that himself. That's a subjective judgement, if he wishes to push it. This devolution of responsibility on to the heads of universities, arts colleges and others is going to have a devastating effect. What can they do? If they go off on debentures, in order to pay on the debentures obviously they're going to have to raise fees. It would become unconscionable the levels to which they will go.

The hon. member for Sarnia mentioned the disappearance of scholarships in this particular instance. They become money-hungry. Their sole purpose is concentrated on that single goal which is, and must be, the last consideration of the scholar. If the minister is going to produce people of any brightness in this province and give them the sustenance they need to get through right to the furthest levels, he simply can't bring this particular kind of hard-headed, I admit, but purblind nevertheless, policies into being in the province. Thank you, Mr. Speaker.

Mr. Speaker: The hon. minister.

Hon. Mr. Auld: Mr. Speaker, as I think you pointed out some time ago, what we are discussing is the addition of the Ontario College of Art to the Ontario universities Capital Aid Corp. I am inclined to think that we have wandered somewhat from that principle which we are discussing.

Mr. Lawlor: Did the minister know that was what we were discussing?

Mr. Bullbrook: It's worthwhile wandering.

Hon. Mr. Auld: I would say, in the capital field, which I think is in order and relevant, there is no prohibition for universities to build if they have their own funds. In fact, not so long ago I attended the opening of a new structure at Queen's University which they had financed, I believe, with the assistance of their alumni.

As far as the levels of operating support which I announced a couple of weeks ago are concerned, as I indicated at that time I had asked the Council on University Affairs to meet with the universities, to take a look at the present formula and to see what the reaction was and what economies can be made. I don't propose this afternoon to go into that in detail, but I'll be delighted to once the universities themselves have consulted with the council.

I would simply mention to the hon. members that according to the figures I have from 10 of the 13 universities—there are three universities to hear from—the total assets in terms of reserves for capital expenditure, operating expenses, endowments and other funds total some $200 million. Let me hasten to add that there are great variations in the assets. There have been periods in the past where some of the emerging universities ran into deficit for several years until they were able to reorganize their operations. I believe that the figures that we have set for both the colleges and universities will be

adequate, even if it takes one or two years of deficit financing for the universities to make some of the adjustments that they would have to do, and I think they can do it without decreasing the quality of their programmes.

As I say, the point today is the addition of the Ontario College of Art to the Universities Capital Aid Corp. I'm delighted to know that all parties support the amendment.

Mr. Laughren: The Treasurer tipped the minister's hand today.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion.

Bill 135, An Act to amend the Ministry of Colleges and Universities Act, 1971.

UNFAIR SALES PRACTICES

Hon. Mr. Clement moves second reading of Bill 55, An Act to prohibit unfair practices in Sales to Consumers.

Mr. Speaker: The hon. member for Perth.

Hon. Mr. Clement: I wonder, Mr. Speaker, if I might make just a short opening statement prior to the member for Perth offering his observations.

Mr. Speaker: Yes, that is in order. The hon. minister.

Hon. Mr. Clement: Before we start with second reading, I would like to make a few comments as to what has occurred since the bill was introduced initially on May 9, 1974. Perhaps before we enter the debate, Mr. Speaker, the members who are going to participate in this discussion would reread the statement I made at that time, since the philosophy behind the legislation is most important to it, in providing us with the tools to eliminate unfair and deceptive business practices.

The members have been provided with reprinted copies of the legislation which contain the amendments which I will be proposing in committee. While this is not an ordinary way to deal with amendments, Mr. Speaker, I did ask legislative counsel to distribute the amended bills prior to second reading to make the members aware of changes we propose and to facilitate the debate. I must make it clear, Mr. Speaker, that I'm not assuming that the passage of the legislation through the House will follow the form of the amendments which I propose. I won't be presumtuous in that way, but I thought this kind of disclosure might be particularly useful to the members.

Also, Mr. Speaker, I would like to thank those members who have had dialogue with us since the introduction of the bill last May, since I personally feel that a great deal of the valuable time of the Legislature can be saved through this type of consultation.

We've also met with a large number of business and consumer groups and have had what I believe to be very positive discussions that have led to improvements in the legislation. As a result of our discussions, I am pleased that such organizations as the Better Business Bureau, the Canadian Advertising Advisory Board, the Canadian Federation of Independent Business and the Consumers' Association, to name only a few, have endorsed the principle of the Bill.

There is no doubt that some questions will still exist in the minds of the members, Mr. Speaker, but we are confident that this legislation will aid the consumer and the honest businessman and give us the tools to attack those who use unfair or deceptive business practices in the Province of Ontario.

Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Perth.

Mr. H. Edighoffer (Perth): Thank you, Mr. Speaker. I appreciate the comments by the minister. I received, of course, a copy of the proposed amendments which will come before committee of the whole House. I feel that this is quite an appropriate way of presenting these suggested amendments to the members prior to discussion and I hope that it will probably speed up the process.

I am happy, Mr. Speaker, to be able to make a few comments on Bill 55, An Act to prohibit unfair practices in Sales to Consumers, because—from the comments that have been made in the past by the minister and many others—I have to support the intention of this legislation.

I know the minister has discussed this with many groups and many individuals and I also have received copies of briefs and individual letters from such organizations as he mentioned in his opening remarks; such as

the Canadian Advertising Advisory Board, the Ontario branch of the Canadian Consumers' Association, the Ontario Furniture Manufacturers Association, and so on down the line.

I wondered about this legislation, and I state this because I recall the opening remarks of the minister, I believe it was May 9 of this year, in his statement in the House. The minister stated: "This Act will provide the Ontario consumer with broad protection against deceptive and unfair business practices."

Then he went on to outline many aspects of the bill. He also intimated that the Act would not be costly to administer. I rather doubt this because, from my experience, the more legislation we have the more the cost of administration seems to increase. Then, in the last sentence of his statement on May 9, he said:

> Finally, this Act will hopefully act as the basis for the development of a commonly accepted code of business practice which both buyers and sellers can respect and trust.

Mr. Speaker, that word "hopefully" makes me wonder if the minister is certain of the final effects of this legislation and if it is right for the conditions in Ontario. I hope that he didn't rush into introducing this legislation because British Columbia had already done so a few days prior to the introduction of the bill.

Hon. Mr. Clement: One day.

Mr. Edighoffer: One day is right. I also understand that some of the other provinces are considering similar legislation, which possibly could lead to some confusion for consumers as well as business people right across Canada.

I feel that the uncertainty in this legislation falls more heavily on the small businessman, since he cannot absorb the resulting costs as easily as large corporations. The small businessman cannot afford the legal costs involved in interpreting the regulations to avoid civil actions or criminal prosecutions. Nor can he afford the cost of fighting law suits which will be based on broad wording not yet defined by the courts. He is particularly vulnerable to resulting high costs if consequential damages are allowed.

On the other hand, large corporations, while not happy with the prospects of increasing government regulation, will allocate the necessary resources and people to meet the problems created by the government, and such costs will be passed on to the consumers. Small businessmen, on the other hand, do not have and cannot afford the specialized advice and assistance required in meeting the increasingly complex, confusing and stringent requirements of government legislation. In addition to many problems inherent in the survival of small- and medium-sized businesses, government regulation often places a burden on them which may be the straw that finally breaks the camel's back. In reference to section—

Mr. Lawlor: Is the member against the legislation, then?

Mr. Laughren: Is he against it?

Mr. J. E. Stokes (Thunder Bay): It is hard to tell, isn't it?

Mr. Edighoffer: I told the member at the first; wasn't he listening?

Mr. Laughren: No, I wasn't.

Mr. Edighoffer: Oh, I thought he was. Too bad. Was he here?

Mr. Lawlor: The member is confusing the issue and his position.

Mr. Edighoffer: In reference to section 1(i) I have noted particularly the change that has been suggested in the definition of supplier. In the original bill, which we are discussing at the moment, supplier is very broadly defined.

Under the definition, landlords who receive payment of rent or employees not involved in the transaction, shareholders of companies, or even the retail sales tax department, may arguably be considered to be suppliers who become jointly and severally liable to the consumer for money and damages along with the original seller. Under the new definition of supplier, this is much more refined and appears to apply only to the final seller or the retailer.

I would like, Mr. Speaker, to place on the record a case recently brought to my attention by a retailer in my area. This case would assist, as I stated earlier, in breaking the camel's back. In the original definition of supplier, I believe, this might have been covered. I'd just like to, if I might, Mr. Speaker, read very briefly. It's just a couple of paragraphs from a letter from a constituent who is running a very legitimate business. He brought it to my attention. I quote:

> I ordered hockey equipment from a firm, an excellent plastic equipment manufacturer. Their catalogue offered equip-

ment bags at a competitive price, compared to other suppliers.

Since I was purchasing equipment to be shipped, I requested some bags to be sent along as well. The shipment came promptly and in order, except the equipment bags were of a plastic nature, rather than canvas, as per description, but not any larger in size and still numbered with the same number, No. 261.

A few days later the invoice came listing the bags at $1 more than the catalogue stated, making the product quite a bit more expensive than a competitor's price. I wrote the company requesting permission to return the bags if they were not priced as quoted on the price catalogue. This is their reply:

"The price of our No. 261 sport bag was increased by our supplier by 50 per cent. Therefore the price of $315 is correct as billed. If you wish to return the bags to our warehouse, there will be a 20 per cent restocking charge of $6.30, making the credit note $25.20. If these terms are acceptable, please return the bags prepaid at your earliest convenience."

I wanted to place that in the record to show that it may appear in many cases that this legislation will protect consumers, but in cases such as the one I have just put on the record, I can see that many consumers will be forced to buy inferior merchandise and the retailer will be held responsible.

Mr. Speaker, this is very new legislation, setting up a new principle; but in looking at section 2 of the Act, it seems to wrap a very protective cloak around every buyer, which I suppose is the intent of the legislation, and section 2(a) in particular now seems to be covered by the federal Combines Investigation Act or the proposed changes which are now before the Parliament of Canada.

While it is arguable that the federal officials should be prosecuting more vigorously, it's difficult to see why additional legislation is necessary to cover the same ground, particularly when it creates duplicate legislation, more government regulations and, of course, it will allocate the necessary resources and people to meet the problems created by the government.

We could spend many hours discussing what is laid out in this legislation as an unfair practice but, if I might, I would like to put on the record part of the information that was probably supplied to the minister as well as a number of other people by Mr. Bronstein. I feel that this shows some of the errors in draftsmanship and the possibility of legislative overkill. To quote from his comments:

Under section 2(a)(vii) the repeat sale of a popular item becomes a criminal offence, since the true representation by a retailer that an item has been sold before and will now be sold again becomes an unfair practice. This could not possibly have been the intention of the minister and is simply an example of good intentions gone astray.

Section 2(a)(viii) appears to be aimed at retailers who do not have adequate stock of an advertised item. No reasonable standard is provided. It is not clear if the test will be subjective or objective, thereby creating special problems of interpretation. The federal legislation covers the very same problem and allows a rain cheque. Why is this section needed?

Section 2(a)(xiii) concerning representation using exaggeration, innuendo or ambiguity, contains language hitherto untested in the courts. Since the law will usually construe ambiguous wording against the party using it, a severe onus is placed on the seller. The "credulous man" has become the standard used by many judges in connection with misleading advertising. If the "credulous man" test is combined with an onus against the seller when words are used that do not have precise meanings, a severe handicap will be placed on creative advertising.

The section also creates an offence when material facts are omitted, so that it may become impossible to use short commercials, thereby increasing costs. We wonder what facts are material in describing an apple. Or, for that matter, how does one give all the material facts about a new car in a one-minute commercial?

What method will be used to prove the purpose or intent of any solicitation or communication in section 2(a)(xiv)? This section is open to abuse, as it allows a consumer to argue that there has been misrepresentation and walk away from an otherwise valid contract.

The foregoing examples indicate the considerable confusion arising from the tests, which are essentially subjective rather than objective, inherent in the wording of many of the subsections. Legislation which intervenes on the marketplace should set objective standards so that generally acceptable community and legal norms guide judicial and administrative decisions, ra-

ther than the unpredictable thoughts which may be in the mind of an individual.

Section 2(b) seems to create a unique checklist of offences that will create fear and uncertainty in the ranks of legitimate businessmen when they attempt to work within the specific wording.

Section 2(b)(i) appears to require a literacy test to be given by a businessman before he may complete a consumer transaction. To be completely safe, one should give IQ tests as well as a language test to consumers before completing a transaction.

The section also creates an offence when consumers are unable to understand the language of agreements. Legal terminology has, for centuries, provided certainty in contractual relationships. Since many credulous consumers will not be able to understand even the very simplest legal terms, the advantages of certainty in dealings will be lost. Considerable confusion as to the actual relationship that comes into being between buyer and seller will be seen for years to come.

Section 2(b)(ii) seems to be an unnecessary intrusion in the workings of the free market system. A businessman who does not try to maximize his profits should not be in business. How is one to decide when one price grossly exceeds another price? If a 50 per cent markup is unfair, is a 49 per cent markup fair? How is one to decide when goods or services are similar? What is the time frame relating to the transaction?

Mr. Lawlor: This is why the Tories are further ahead than the Liberals are. It's early 19th century malarkey!

Mr. Edighoffer: Is that right?

Mr. Lawlor: Yes, that's right. The member should be ashamed to stand there talking such nonsense.

Mr. Speaker: Order, please.

An hon. member: He's got a lot of business experience.

Mr. Lawlor: Go right ahead. I'm enjoying it.

Mr. Edighoffer: I'm glad the hon. member for Lakeshore is enjoying it.

If the government wishes to ensure that consumers are informed concerning prices, it would seem appropriate to promote consumer information and competitive price advertising.

What constitutes a substantial benefit? Under section 2(b)(iii) who is to decide the substantial benefit involved in a modern art painting or a rock record? You can say this about many things. Is the test subjective or objective? We feel that there is no substantial benefit provided to the workings of the marketplace by this section.

Should the Legislature concern itself with misleading statements of opinion? If a consumer knows that a statement is an opinion, he is free to disregard it.

Section 2(b)(iv) places a duty of inquiry upon businessmen that may be impossible to meet. Small businessmen in particular will not be able to iquire into all the credit background of a proposed purchaser. The intent of the section may well be frustrated, since it will be simpler for a businessman not to deal with a consumer.

Maybe because he's poorly dressed, because he smokes a pipe or even because he's a Tory.

But since other sections of the legislation allow the consumer to negate the complete transaction if an unfair practice occurs, discretion would be the better part of valour. The businessman would look further ahead not to deal with consumers who look like they are less than perfect credit risks. Where does salesmanship end and where does undue pressure begin? While some high-pressure salesmanship is deplorable, we suggest that it should not become a criminal offence in the manner proposed.

Mr. Stokes: How are things in the haberdashery business these days?

Mr. Edighoffer: I am never there; I don't really know.

I really feel, Mr. Speaker, that on looking at section 4, subsection (5), in the original bill, I have some cause for concern. Mind you, it has been corrected to some extent since a similar change has been made. But I notice in the consumers' association brief that they feel no time limit should be placed on the rescinding of an agreement as shown in subsections 5(a) and 5(b). It now appears to me that particularly in section 4, subsection (5), sub (a), it could become open-ended, since a purchaser could claim to have become aware of the unfair practice at any time.

I would like, in the minister's reply, to hear his comments to see if I am correct in assuming that this may be the case.

Mr. Speaker, I feel that I wouldn't want to be the director appointed by the minister.

When you look at section 5 it looks as if it may be an easy duty to perform, but I think the director could cause many hardships to businesses if a wrong decision is made. He may also find it difficult to check unfair business practices, as has been learned under similar legislation in the United States. If a businessman agrees to a cease and desist order, it may be difficult for this new branch of the government to check out the complaints; particularly where many of the listed unfair practices are of a verbal nature.

Going further in the legislation, I am not in full agreement with section 17(1)(c), which allows the Lieutenant Governor in Council to add to the list of unfair practices. I see no reason why this should not come before the Legislature, even though section 17(2) allows these regulations only to be in effect for a short space of time.

Mr. Speaker, much more could be said about this legislation, and I am sure that many of my colleagues will have further comments. But because the legislation is supposedly designed to protect the consumer from the unscrupulous businessman, or the fly-by-night operator. I feel we must support the principle of the bill. I would hope that there would be very little use made of this legislation in the future; which would mean that the consumer and the businessman would be doing business at the highest ethical level.

You noted, Mr. Minister, that you have met with many groups to discuss this bill following its introduction; but I would like to suggest, because of the new principle that is being established, that this bill, before being rushed through the Legislature, should go to a standing committee.

Mr. Speaker: The member for Lakeshore.

Mr. Lawlor: Mr. Speaker: The first matter I would ask the minister about is what his intentions are with respect to the subsequent progress of this bill. Is he intending to send it out of the House to committee or is he going to keep it in committee of the whole House?

Hon. Mr. Clement: Could I make a deal with the hon. member?

Mr. Stokes: If the price is right.

Hon. Mr. Clement: Could I trade it for the committee in order to have it move along right now?

I intend, Mr. Speaker, to take it before probably the administration of justice committee. I quite agree that criticisms and queries have been received. Over the past summer when we met with the various groups and my officials met with them and when they realized what the alternatives were to this type of legislation, they perceived very quickly that this is a new concept insofar as Ontario is concerned in this type of legislation. I think it was an educational thing for them to meet with us and understand what we were trying to do, and it helped us to get their views. So I really think it would be in the best interests of all concerned if we went before a standing committee of the House as opposed to the committee of the whole House.

Perhaps the member for Lakeshore—

Mr. Stokes: No deal.

Hon. Mr. Clement: —being so happy to receive that information, might be able to reciprocate in some way when he gets upon his feet for the short period of time he intends to discuss it.

Mr. F. Young (Yorkview): The minister means not to make a speech.

Mr. Lawlor: My reciprocation will take the form of basically commending the minister on the legislation before us. Not a great deal is wrong, although we shall go on for some period of time with the central facts of the thing. In detail, it's questionable. What I find really questionable about the legislation is what it doesn't contain and what it doesn't do.

The legislation is framed basically on the basis of the American uniform consumer sales practices act which has been in effect for some time. Then the British Columbia legislation has come about. I make no bones about it. The British Columbia legislation is, by and large, a good deal better than the minister's. In this one instance, in breaking new ground, the member is not able to puff himself up and bloat, saying that for the first time in the universe he is giving gestation to a wholly new creature. In this case, it's simply not true. It's defective from the point of view of what it lacks. As to what it has substantially, the minister is aware of the fairly lengthy Prof. Ziegel article back on May 23 of this year, outlining some salient features wherein the legislation was defective and could be strengthened, in accordance with the two pieces of legislation which I have previously mentioned.

What is the background and history of the legislation? Where does it fit in? There are five pieces of federal legislation covering areas

similar or adjunct to the stuff we have before us today. Sections 36 and 37 of the Combines Investigation Act have to do largely with deceptive advertising but don't deal, as this legislation deals, with unethical trade practices per se. In that particular Act, the prosecution is the only method available. There is no recovery in terms of damages to someone afflicted, and the concept of mens rea, or intention to deceive, or certain kind or quality of intention, is abnegated from that.

As far as this legislation is concerned, the minister has received a good deal of flak, as I read the briefs which have come into my hands, with respect to the criminal features written into the legislation. Nevertheless, I think he should retain them. They have been given greater accord with English criminal law than the Combines Investigation Act insofar as the word "knowingly," which imports this element of mens rea into the thing, is inserted. While they are saying that the government ought to make it clear that it must be "fraudulently" or "deceitfully" or some other type of wording, I think the use of "knowingly" adequately covers the situation in the context in which the offence was committed. There shouldn't be too much difficulty with that.

The second area under which we've got coverage is the Canadian Criminal Code, sections 337 to 384, which involve fraudulent transactions of all kinds, particularly arising out of contracts and trade operations. But many schemes which we are seeking to cover in this legislation don't amount to outright criminality. Though they may be immoral or even deeply unconscionable, that would not be sufficient to be caught within the umbrella of the Criminal Code. Therefore, again, the legislation before us has validity.

The Food and Drugs Act has a circumscribed range, only dealing with what it says, food and drugs. In that area this legislation is infinitely broader. I think the minister will agree with me that insofar as the federal Food and Drugs Act is operative it supersedes any legislation he may hope to introduce, any charges that may be laid under this particular legislation arising out of such matters, or any cease-and-desist orders, injunctions and all the rest of the panoply of weapons written into the legislation in front of us. Again, in these specific regards I'd like to hear from him on the constitutional issue.

The fourth area is the Consumer Packaging and Labelling Act, 1971, of the federal government, which deals again with false and misleading advertising re prepackaged products. Again, many bad selling practices do not contain anything to do with descriptions or illustrations. They are apart from that, although again this legislation does cover such contingencies and such a width of matters. Nor are services caught within the terms of that legislation, whereas they are specifically caught here. I don't want to preempt the bright words of my colleague, the member for Thunder Bay, but he wonders whether my beloved, legal profession is to be garnered in and made a butt for this vicious piece of legislation. No doubt he will address himself to that particular issue.

The fifth area is the new Competition Act, which has been long present before the legislators up at Ottawa. I understand it's gone through second reading now and that it's into the finance committee of the House of Commons. I think many features of it were found to be unpalatable and have probably been carved out of this.

The business of a credulous buyer—I notice the member for Perth used that term—was interesting because it was in that legislation, and still may be for all I know. But certainly the business community found that very questionable, indeed, as even the briefs that came into our hands indicated.

So those are the areas which presently are effective in the overall law picture. Our own Consumer Protection Act has largely to do with the compulsory bonding and registration of door-to-door salesmen with respect to unsolicited goods. It prohibits referral selling. It has something to do with the cutoff clauses in promissory notes, nullifies disclaimer clauses and has some area with respect to advertising. But this piece of legislation before us is infinitely more searching. It finally fills an enormous lacuna. To the extent that it overlaps—and I think it's a very prodigious extent indeed—with the federal Competition Act, it is probably again invalid and will not be operative. Again I ask that the minister give us his best thoughts on that particular area; that a great many things that have been covered here in anticipation and running in advance of the federal counterpart will now be rendered—as the member for Haldimand-Norfolk (Mr. Allan) always used to say—nugatory. It will have no meaning or effect. In that way maybe the legislation hasn't got all the verve and impetus that the minister was able to accord to it last spring when it was first brought before us.

Now the minister's most recent amendments have, in effect, occurred before the Act gets read for the second time. I think it's a perfectly legitimate procedure that he uses, to clue us in in advance and even have the bill

printed. After all, he has the numbers over there. That's what he wants and he is going to get it through. So the printing job has already been done.

There are two types of practice or offence set forth here, quite separately and distinctly, both in the British Columbia legislation and that which is before us. The first has to do with deceptive practices as such; that is false representation. And 2(b) has to do with unconscionable practices as such.

Previously we didn't discriminate. Now the minister has gone to some length, in line with the British Columbia legislation, to set up what those unconscionable practices are as a distinct category, and he outlines them. And may I say—to give the devil his due; don't turn purple—that this criterion and outline is better in my opinion, than that of British Columbia in the same area. I think it has more definition, and I think it has more scope.

They use "harsh and unconscionable," and terms of that kind.

When one starts dealing with "unconscionable practices," I think not only is it sufficiently vague to deter possible offenders, but is sufficiently determinate, too, to catch them once they are deterred. It catches, like the wings of the butterfly, both motions in the wind—the up-draft and the down-draft—and manages in this way to perambulate over the meadows of this world. To that extent, it's a valuable thing that is being done here.

It is said under this head by Prof. Ziegel that: "The business objections to date have been focused on the broad criteria of unconscionable practices," as set forth in section 2(b) of the bill. They are indeed wide. If the director were the judge of unconscionability in a particular setting, there would be cause for concern. But he is not; the tribunal is. And from the tribunal there is a full right of appeal to the regular courts. The courts have long been accustomed to dealing with issues of unconscionability.

One of the things the member for Perth took exception to was the phrase: "That the price grossly exceeds the price at which similar goods or services are readily available to like customers."

While the Unconscionable Transactions Act of the Province of Ontario doesn't deal with price as such, it deals with interest and the extraction of the pound of flesh from individuals. It has used the term "grossly"; and in legal decisions, in any event, the gravamen, what the legislation is after, is well known to the judges of the province and has been for 50 years, I suppose, engraved into previous and other legislation of this House. And therefore I don't think it should give us all that pause.

But to continue with Prof. Ziegel:

> From the tribunal there is a full right of appeal to the courts. The courts have long been accustomed to dealing with issues of unconscionability. One of the earliest functions of the Lord Chancellor in England was to grant relief against harsh bargains in the name of equity and good conscience.

Now they said that this particular relief that he gave was as long as the chancellor's foot. And this was the way the common law lawyers felt about it. When we are placed at the baptismal font and a little holy water sprinkled on our brow down there at convocation at Osgoode Hall, we become something different from a common lawyer. We become also an equity lawyer, which means precisely that conscionability enters into the whole thing.

Somehow or other, in the old days they were separated and divided, until about 1853. Then we kind of joined ourselves; we came out of our schizoid condition and became everything. In that way the overriding possibilities were in the direction of good conscience. That is the role that all the courts play, so we no longer have that division.

> This process [Prof. Ziegel says] "was temporarily arrested in the 19th century in the face of laissez-faire economics". . . .

When I heard a bit of the acrid breath of that old dung-heap-on-fire quality about 19th century economics a few moments ago in this House, I felt that I might have to put on an oxygen mask just to continue to breathe.

Interjections by hon. members.

Mr. Lawlor: To continue:

> This process was temporarily arrested in the 19th century in the face of laissez-faire economics, but has resumed its career during the present century. Increasingly the courts have appreciated that there is no genuine equality of bargaining power between the average consumer and the professional supplier of goods and services, who relies on a standardized contract in small print, whose contents the consumer cannot be expected to understand and would be powerless to change even if he did.

That is the social condition. It's nothing to be regretted. Standardized or what are called contracts of adhesion are the universal feature. You can't get on a train or a plane without one. You can hardly buy any goods on the market, including television sets, which are not denoted in this, where they don't have universal terms.

If you don't like them, forget about it. "You don't have to buy our product. We are not going to alter." The same thing is true with every contract in connection with the stock exchange, and all the way through. This is the way modern business is done.

Mr. Stokes: Who draws up the contracts?

Mr. Lawlor: Lawyers draw up those contracts.

Mr. Stokes: Oh!

Mr. Lawlor: Watching the court cases like hawks, having drawn the contracts up in the first instance, and finding that a court decision in any way disturbs their beautiful writing, they immediately seek to redraw them the next day and wipe out the court decision by sleight of hand. They are paid to do this. The day after, they say, "This is the contract. Take it or leave it." But what about the court decision?" Forget that. We have changed all that. Take it or leave it in this particular way."

> Once again it will be seen that the bill does not innovate. It merely sets its stamp of approval on a doctrine which the courts have long sought to articulate, sometimes directly and more often indirectly. Moreover, it's a doctrine which the Ontario Legislature, in common with the other provincial legislatures, embraced as early as 1912 when it empowered the courts to open lending transactions if the court found that the cost of a loan was excessive and unconscionable.

That is the general background and the focus, I think, in which we should see and feel this legislation as it comes through this House.

There is area after area where a great deal should be done. In one clause—I think it is clause 4—the minister gives a power to the consumer which, curiously enough, is not embodied in the BC legislation at all. We give them the power to void the contract, or at least to make it voidable, which meant he had a choice as to whether to accept or reject within certain time limitations. Now the minister has moved to change that, at the behest of the Consumers' Association of Canada in their brief, and he has changed it to "is rescinded." Nevertheless, he retains the same time for limitations.

My feeling is that whether it is rescinded or voided, it really doesn't matter all that much over against what the consumers' association has to say about the time features written into the legislation. They say:

> Bill 55 provides short limitation periods for rescission by the consumer. In the case of deceptive practices, there is the three-month period; for unconscionable practices there are six months. We fail to understand this provision.

I want to join them. I fail to understand it too. I wouldn't be reading it otherwise I suppose.

> The bill was premised on the belief that there are certain practices which are manifestly unjust to consumers and that these must be prevented and consumers compensated. A limitation period that is so far shorter than those usually obtained seems hard to reconcile with this underlying premise.
>
> We feel that if a consumer has entered into a contract based on a practice listed in section 2, he should at all times have at least the right to rescind the contract [The minister has given that now.] subject to his obligation to absorb losses corresponding to his or her usage of the goods if they were, in fact, usable and used. In British Columbia, we note that the unconscionable acts bar the right of a supplier to enforce the contract.

They say they don't feel that that should be necessarily the case, but I wonder just how flexible the minister is with regard to these limitations, even with the imposition of the rescission aspect of the matter, and taking into account, secondly, that rescission isn't always feasible or possible to a consumer for many reasons. He may have used the goods. He may use them up. He may have turned the goods over to some other person and therefore is not in a position to rescind in the circumstances.

Nevertheless, he should get some kind of compensation or recognition. Nor does the legislation in this regard write abatement clauses into the purchase price in circumstances where rescission isn't efficacious. Ought it not do so? Ought the minister not to cover that a little more thoroughly than it presently is?

As to class actions, what is the hangup, what—Oh Lord, emerge out of the cloud and tell me, because the minister won't—is the secret motivation and the real destitution of the Tory party in all its aspects about something called class actions; well accepted in every other jurisdiction on the face of the earth; recently introduced into Tanganyika with great acclaim they changed the face of the country. Every jurisdiction in the United States has it. In the government's environmental law it refuses to permit it. In this minister's area, and he is one of the brighter

ministers, believe it or not; all these things are relative in this world.

Mr. G. Nixon (Dovercourt): Right on.

Mr. L. Maeck (Parry Sound): They're just stalling until the member for Riverdale gets back.

Mr. Stokes: That is faint praise.

Mr. Maeck: The member is starting to grasp at straws.

Mr. Lawlor: No, not where class actions are concerned. That is one of my bugbears; not a straw. By God, I can choke on it.

What's wrong with this government? Why can't we have a few class actions kicking around? Mr. Speaker, the problem there is that an individual may be a member of a class, he may be the one who is hurt in the same way as hundreds of others—thousands of others, with respect to the misrepresentations in connection with goods, but he has to go before the courts and prove that in some special way he is out of pocket in a way that the others aren't out of pocket. It is highly specialized, in order to get himself into what is called a class action, to bring others in with him so that he can represent whole hosts of people at the same time with respect to the same improper practice.

That's only the beginning of it. I mean the courts and the rules of the Law Society are so great in this regard, are so circumscribing, that no one is able to conduct a class action easily. In environmental law, one poor fellow took issue on the sand dunes and government completely reversed its position the day after he was hit with the costs. His costs were $4,000 for having the temerity to do it. As I say, the next day the government reversed it's position—going to buy up the sand dunes to give away for $1 or $100 million, whatever they are going to charge them—and this fellow has to pay through the nose because he has a social conscience and a public will and went ahead with the action; and it was called provocative and meaningless, or something, by the judge in the particular case.

We simply have to institute them. This is the minister's golden opportunity to do that. It's supposed to have been bedabbled with the morning dew. It's new legislation. The minister is breaking new ground—conceded—along with a number of others. The others, thank God—in the United States under their code and in the British Columbia legislation—have gone the other mile. Well, the minister hasn't gone three inches in this regard. They went a whole mile. And in the terms of the legislation he could have written in these clauses just as easily as he wrote in half their other clauses. I don't know why he ignores this particular one; these are fruitful.

At 16(2) of the British Columbia legislation:

> In any proceeding under subsection 1 [that's enforcing the rights] any person, including the director or a person designated for the purpose by the director, may apply on his own behalf and at his option on behalf of all other consumers in the province or a class thereof, or on behalf of designated consumers in order to proceed with an action before the court.

And while I'm on this particular point, it goes further than that. In section 24—and this is another thing that ought to be here and ain't—the director, the man the minister appoints and who has general overall supervision under this legislation, has the power to sue on behalf of the consumer.

Sometimes the costs, the intimidation, the time consumed is just too great for an individual citizen to take up the cudgels either on his own behalf or on behalf of a whole class. And in this legislation the government, the director himself, recognizing how monstrous the practice is and knowing that nothing will be done or can be done because of lack of money out there, moves into the situation.

He can move in under two terms. He can initiate it or, if a consumer starts the action, he can come and place himself in his shoes and carry on the action to fruition, and relieve the whole burden from the citizenry at large who ought not to have the main responsibility for enforcing public legislation of this kind.

It should devolve upon the minister's head and his ministry and be his responsibility. The minister has inspectors on staff; he has legal counsel at his behest. There is no reason in the world why—in selected cases admittedly—he ought not to have the power to conduct the proceedings himself and take them to the court and relieve the general public. The minister does it in terms of prosecutions, but why can't he pick up the cudgels with respect to the civil side of the actions in order to bring them to a head?

Is it an ingrained conservatism? Is it a fear of the marketplace? What does motivate him in these several regards? It seems the strangest hedging and hanging back over against the possibilities of his office. And in terms of having the ministerial responsibility—not just the possibilities but the actuality

of the present day—in most other jurisdictions with legislation of this kind, he shucks it off, he won't move into the area. There is a temerity that approaches pusillanimity about the whole thing—

Hon. Mr. Clement: Approaches what?

Mr. Ferrier: How does the minister like that one?

Mr. Lawlor: —and we can't give him any accolades on that particular one.

The class at Osgoode Hall—well, it's a brief submitted to the Hon. J. T. Clement, way back when, from the students up there, "Aspects of Consumer Protection in Ontario." I won't go into it at this stage, but there's a whole section on class actions for more widely drawn, for more preceptive than what is contained, if I may say so, in the consumer association brief, as to the ramification of class actions, the considerations pro and con and there is quite an impulse there to get you moving in this particular regard.

In the consumer association brief they mention the case of Farnham and Fingold, where procedural objections had people jettisoned from the court. In that particular case they permitted a class action because the class as a class was being represented; the money was owed to them across the board. But the action would not have been appropriate, so the Court of Appeals said, if the money were owed to the class as individuals; they would have to sue, individually, every one of them in this particular regard. And that is a nice, subtle, almost evanescent distinction between two kinds of things, Mr. Speaker—money owing to a class as a class, and money owing to you and me because it happens to be owing to you and me, although it is the same money, arising out of the same technical transaction.

I don't think we can go on very much longer in that particular regard. The costs are too great, the multiplicity of actions that the court takes because they have to sue individually is too great, and the burden on the whole judicial establishment is too great. The minister would relieve that.

The truth about that is, curiously enough, that the minister may fear an inundation of court proceedings if he opened up those gates. Well, they are not sluice gates. After Michigan introduced its class legislation, which is very much broader than anything we know, with respect to environmental impact, the most cases they have had in 18 months is 37. The fear of the courts and the judges, and the reason they didn't want to pass it for years and years, was that they couldn't stand the burden of the number of actions that would be launched—the courts couldn't bear it. But it is not true. When it is tested, it is not the way things come out.

All right, next item. There are a number of things that we will have to take up in the committee. A point was made by the consumers' association with respect to section 16(2), which says: "A regulation . . . may be made when the assembly is recessed or not in session and expires with the prorogation of the resumed session . . ." would have the minister take under advisement what they say. I won't read into the record at this point what they have to say precisely on that objection. I think, nevertheless, it is well taken.

The powers of investigation are a pretty broad range, and this kind of legislation I find, in some of its aspects, questionable. Again, I don't think time should be taken up at this particular point in second reading to go into them.

The cease-and-desist orders of the minister deserve some comment. The consumers' association—yes, that is a point that I had made previously, but let's see what they say.

> Although a consumer may request an investigation, he or she has no right, if the director refuses to issue a cease-and-desist order. This is improper, as the business party has the right to require giving it at the tribunal level. There should be parity of relationships in this particular regard.

I would like to know from the minister why there isn't.

Back to the brief. It says:

> We feel that this should be equalized, and could be by allowing the person presenting the complaint to the director the right to appeal to the tribunal against the refusal to grant an order. The tribunal would then provide a hearing to both parties.

The BC Act makes such a provision, why doesn't the minister's? Is there some special reason? Is it going to some way upset the apple cart or in some way dislocate his legislation? I think not. I couldn't see how it possibly would have that effect.

Well, there are the basic things. There should be a provision with respect to restitution arising out of the injunctive power. Why not, again?

Hon. Mr. Clement: Pardon me. I missed the member there, and I want to get this—a consumer cannot compel the director to do what?

Mr. Lawlor: Oh, that was earlier. I was saying that—

Hon. Mr. Clement: No, just a few minutes ago. The member said it two or three minutes ago.

Mr. Lawlor: Well, it is in the Consumer Association of Canada brief at page 5 that—I am sorry. I said first of all the director ought to have the power to take over and sue in place of, in the shoes of, the consumer. That is No. 1. That's fine. All right, the next one is on page 4 of the consumer brief. I will read it:

> Although a consumer may request an investigation, he or she has no right if the director refuses to issue a cease-and-desist order. This is improper. As the business party has the right to require a hearing at the tribunal level, we feel that they should be equalized, and it could be by allowing the person presenting the complaint to the director the right to appeal to the tribunal against the refusal to grant an order. The tribunal could then provide a hearing to both parties. The BC Act makes this provision.

Mr. Speaker, they are the highlights, the basic lines and the chief principles contained in this legislation. I hope and trust we will have a ball in committee. Thank you.

Mr. Speaker: Do any other hon. members wish to speak to this bill before the minister sums up? The member for Thunder Bay.

Mr. Stokes: Yes. I want to speak very briefly on it, Mr. Speaker. Like my colleague from Lakeshore, while I agree with the basic principles embodied in this amending legislation, I too have difficulty with it for what it doesn't say rather than what it does say.

My colleague wasn't being facetious when he said he was troubled with the fact that it had nothing to say about the shortcomings in transactions between lawyers and their clients, or insurance adjusters and their sort of clients. I realize that there is a Solicitors Act which does provide a client with the opportunity to submit, or have his solicitor submit, a bill to a tax master in the event he is unsatisfied with the nature and the amount of the bill tendered by the solicitor to his client. There are a good many people who aren't aware that they have the right to do that under the Solicitors Act.

I've had any number of problems as the result of either the inability or unwillingness of many insurance adjusters to go to bat for those who are the purchasers of protection by way of various insurance plans. I suppose the minister can point to some kind of legislation that would make it mandatory that insurance adjusters, insurance agents and, indeed, insurance companies act in a way that would be generally acceptable, using good business practices and fair trade practices, where the consumer is getting a fair deal.

Those are some of the things I would have liked to have seen embodied in this Act, because it's obvious that if there is other legislation that is designed to take care of some of those shortcomings, obviously it isn't working from the kind of problems that I'm getting across my desk.

I want to get into other things that I consider to be a shortcoming under these amendments. I'm going to use a specific example just to illustrate more indelibly what I'm talking about, and that is, where you get someone who sells propane. It's usually sold in 100 lb metal containers or bottles, where the price in one location—to use round figures, and I'm fairly close in these figures—is $10, while 50 miles down the road the same product in the same amount from another company is $15.

I had occasion to write to one of the major companies, I suppose it's the major company in Canada which carries on this kind of business, and said: "Why is it necessary for you and your retailer to sell this product for $15 when, if somebody drives 50 miles down the road he can buy the same product for only two-thirds of that amount or $10?" The reply that I got back from this major supplier in this field was: "We have our own price structure and we can justify it right down the line; and if your constituent can do better by driving 50 miles down the road, we suggest he do that."

I don't think this is acceptable. I think that, all things being equal, competitors usually know the kind of business they are in. I don't think there is an added expense of doing business, vis-à-vis different companies. I think that if there are inefficiencies in the matter of supply, they should be made to shape up and provide that product at a price that is competitive.

I don't think it should be necessary for somebody to have to drive 50 miles down the road, particularly in northern Ontario, just to effect a fairly substantial saving. I think that whatever they are doing it should be called into question and we should say: "We think that you should be able to do much

better." Make them come up with reasons or some kind of excuses as to why they should not do it.

That's just one instance that I want to bring to the minister's attention. I have two others. One of them involves the unavailability of particular products—something that one can normally purchase. But in many instances, for whatever reason, either the major supplier or the retailer doesn't think it's in his interest to supply it. Therefore, certain individuals in certain places throughout the province just can't buy these things that people take for granted down here.

I want to refer to two specific items. The first one is unleaded gas. We have the Ministry of the Environment, telling us the advantages of burning unleaded gasoline; how much it improves the environment; how much cleaner the air will be; and how much better it will be for all of us. The authorities who are responsible for placing controls on automobile manufacturers have lowered the boom on these manufacturers of automobiles and have said that as of a certain time the emissions must be down to acceptable standards. The 1975 models have installed in them something that they call a catalytic converter, which will permit people to use unleaded gas.

I have communities in my riding where the population runs 2,000, 2,500, 3,000. They are purchasing new automobiles and it is absolutely mandatory that you burn unleaded gas due to the kind of pollution abatement equipment that is standard on these models. Yet, because of the unwillingness of the major companies—and I'm talking about Esso, because it's the one that I know about—Esso has said to its dealers in these communities along the north shore of Lake Superior: "We are not going to supply you with unleaded gas."

They really don't give any rhyme or reason other than to say: "You must have brand new tanks and you must flush them out. If the tank that you are going to dump it into has been used for another kind, another grade, another octane, then we are not going to dump it in." Of course, this isn't a reason for not doing it; it is just an excuse why they don't. They like to sell in volume, and whatever excuses they give are certainly not acceptable.

When one buys a 1975 car where it is absolutely essential that one have unleaded gasoline, why should he be penalized just because of the whims of some large company like that? If the government is asking the automotive industry to get down to acceptable standards, and if in so doing they have to install these types of pollution abatement equipment which necessitate the use of unleaded gas, somebody in this government over here, and I think it is this ministry, should demand this on behalf of the consumers in those areas where they are being denied this service.

Why should somebody have to borrow somebody's car, drive 75 miles down the road with a bunch of empty cans, load up with unleaded gas and drive back? This is what is going to happen. There have been a substantial number of 1975 model automobiles in which the only thing one can burn is unleaded gas and it is unavailable.

I want to get the minister's attention. Will my colleague from Lakeshore take his seat please?

That's one of the bad ones. But the worst one of all, I just found out this afternoon. One of the communities in northern Ontario is having a particularly difficult time. We all know which it is; it's Armstrong. I got a call from there shortly after the question period. It's impossible to buy coal oil in Armstrong. Coal oil is what people down here refer to as kerosene. One may think that is funny and inconsequential—I see some people under the gallery snickering about it—but Armstrong happens to be a place where they don't have something as elementary as electric lights.

In the west end of Armstrong, we have a significant number of people who don't have any electricity because the Canadian National Railways, which generate some of their power by diesel generators, won't provide it to them, and the old abandoned radar base will no longer supply anybody other than its traditional customers at eight cents a kilowatt, which is roughly 2½ to three times what you and I pay for it down here, Mr. Speaker. They won't supply it. We have a significant number of people living in the west end of Armstrong who have to use kerosene for lighting purposes, and they can't buy it.

One might say it's an isolated incident, but this is the Province of Ontario, the province of opportunity, in the year of Our Lord 1974, and we actually have conditions like that

prevailing. I suggest to this minister and this ministry that those are the areas where we do have a responsibility to make sure that those who are in the business of providing a service or providing goods provide those services and those goods at a price that people can afford to pay for them.

As I say, I don't want to go on at any great length—certainly this subject isn't my forte—but I think that those are the kinds of things that should be in legislation like this and these are the kinds of things I hope the minister and his director will get involved in when this becomes law.

Mr. Speaker: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Speaker, I am quite interested in this legislation. I listened with great interest to the member for Lakeshore pointing out a severe weakness in the bill in that the action must be taken by an individual citizen and that the director has not got permission or is not instructed to take action on behalf of a group of citizens who have been injured, although not to any great significant degree. By the multitudes of them who are injured it does turn into quite a considerable ripoff, as far as the offending merchant is concerned.

I think it would be good, Mr. Speaker, to document for the House one particular case in which a class action should have been taken. The minister is aware of this particular complaint which I registered with him. It has become quite a famous case now. It has got to be known in the city of Sudbury as the big ham caper. The minister will recall that on Aug. 22 I wrote him a letter which was motivated by a constituent of mine who was highly incensed at what he considered to be false advertising and false packaging.

In order to set the stage so that the rest of the members present will understand the situation, Mr. Speaker, I would like to read the letter in which I informed the minister of my complaint. I wrote the letter with great detail, so by reading it I think everyone will have the necessary background to understand what is going on. I would also like to say that the case is still not closed. Even as late as today, Nov. 28, we still haven't got the necessary action that I suspect should have taken place.

I will read into the record, Mr. Speaker, a letter addressed to the Hon. John Clement, Minister of Consumer and Commercial Relations, dated Aug. 22, 1974, and signed by myself. It reads:

Dear Mr. Minister:

It is my observation that the situation in the marketplace has not improved during your tenure of office. Even despite the presence of a local consumer affairs officer, I still continue to get complaints from constituents who are offended when they get ripped off by some of our merchants and pedlars.

It was only after having contacted the provincial consumer affairs office, the federal consumer protection office and the northern affairs office that this constituent came to me in a high state of frustration. He charges that the Sudbury Star and the F. W. Woolworth Co. are guilty of false advertising. I am submitting a copy of an ad which appeared on page 6 of the Sudbury Star, dated Aug. 19, 1974, announcing Woolworth's $1.44 day. It seems like everything in the store costs $1.44 that day. The case in point concerns the section of the ad I have encircled, "meat counter, fine ham, $1.44 per lb."

Motivated by this ad, my constituent journeyed to downtown Sudbury to take advantage of this terrific bargain. Upon seeing what they offered him for fine ham, he was sorely disillusioned and left the store without having purchased this product.

His next move was to go through the routine of contacting several governmental departments, which apparently showed little interest in his predicament. This exercise also caused him to lose faith in the consumer protection services, which he knows he supports from his tax dollar, and, as far as he is concerned, the whole consumer protection system is a farce. As far as the last statement is concerned I can agree. A tiger without teeth is a useless animal.

After having heard this dismal story of false and deceptive advertising and disinterested government bureaucrats, I was motivated to look into the situation further. I journeyed to downtown Sudbury and entered the establishment of Woolworth's, located at the corner of Elm and Durham streets, which is the heart of our downtown business district. As I approached the meat counter apprehensively, I was

bombarded by placards which announced "Fine ham, $1.44 per lb." Unable to resist any further, I strode to the counter and asked for half a pound of fine ham. To my amazement, the clerk extracted from the showcase an object that looked suspiciously like bologna. She placed this in her electric meat-cutter and sliced off several slices of this product. I paid the 72 cents for this package and proceeded on my way."

The plot thickens, Mr. Speaker.

Mr. Speaker: It is 6 o'clock. Is the hon. member about finished with that part of it?

Mr. Germa: Yes. I move the adjournment of the debate, Mr. Speaker.

Mr. Speaker: That won't be necessary.

It being 6 o'clock, p.m., the House took recess.

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No. 138

Ontario

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Thursday, November 28, 1974

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

UNFAIR SALES PRACTICES ACT
(concluded)

Mr. Speaker: The member for Sudbury East had the floor.

Mr. M. C. Germa (Sudbury): Sudbury, Mr. Speaker.

Mr. Speaker: Sudbury, I am sorry.

Mr. Germa: Mr. Speaker, prior to the dinner break, I was reading into the record a case whereby I cite a weakness in the bill, in that the legislation doesn't provide or authorize or direct the director who would be responsible for enforcing this legislation to take class action against a merchant who may have offended against thousands of people. We might never know how many thousands could have been offended against, but the degree of damage to each individual person is such and the financial loss is such that this person is not likely to take action through the courts.

It is my contention that unless an amendment is made to the bill which would provide, direct and authorize the director to take this action on behalf of many citizens, then the bill to a large degree will be pretty well useless unless there is a major offence against one particular consumer. I'll continue reading into the record the letter of complaint which I had filed with the minister, dated Aug. 22, 1974, and I'm quoting from the letter, Mr. Speaker.

> Upon returning to my office at 252 Victoria St. in Sudbury with my package, I encountered my secretary, Mary Palakovich, and without telling her what was going on I induced her to have a slice of the meat from the package. After having eaten it, I asked her what she thought it was. She replied that it was some kind of artificial chicken.
>
> Just about this time, Phil Hall, whom I don't believe you know, entered the office and also sampled the product. His decision was an emphatic bologna, or was it baloney? Roger Couvrette also happened on the scene and refused to make an evaluation as to what he had eaten. I am also undecided as to what it was, but it does not appear harmful to humans.
>
> You will note that of the three independent tasters, none of them ventured to guess that this was ham as it is commonly known in our society.
>
> Acting on the vague premise that you might want to analyse this product and determine if indeed this is a case of false advertising, I have deposited about one-quarter pound of fine ham in my freezer at 494 Byng St. in Sudbury. This sample is available to your department should you see fit to conduct an inquiry. You can advise whether you want me to deliver it to any specific location, or one of your agents could pick it up at my home. Even if you decide not to press charges, I'm sure you will agree that it would be an interesting exercise to determine to what degree Woolworth's has adulterated the word "ham."
>
> I am sure that if you solve the big ham caper, you will be endeared in the hearts of all Ontario residents. I expect an early reply to this letter as I am not sure of the life expectancy of the sample I have in my refrigerator.
>
> I remain yours truly.

It was signed by myself.

This gave the minister a pretty clear idea of what the nature of the complaint was and the total value that is involved in this individual case, which happened to be my case. It was myself who bought the half pound of ham. It was only 74 cents. It is not very likely that I or any other constituent or resident of Ontario is going to take court action against a company like Woolworth's to recover or regain 74 cents.

So you see, Mr. Speaker, without the enforcement by the government of its own legislation, then the legislation, as far as it concerns a specific item such as that which I've recited, would just be hopeless.

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): What legislation should we move under? What statute do we move under for that prosecution, Mr. Speaker?

Mr. Germa: Well, I'm coming to that, Mr. Speaker. I did get a response from the minister.

Mr. J. E. Stokes (Thunder Bay): Misleading advertising.

Hon. Mr. Clement: Under what statute? Let the member tell me, Mr. Speaker.

Mr. Stokes: Then the minister had better come up with one.

Hon. Mr. Clement: There it is right there. Look at it.

Mr. Germa: Mr. Speaker, this is precisely what we're talking about. The minister interjects that this legislation is going to solve the problem which I have recited. I maintain that it is not going to solve the problem, because who in his right mind is going to take court action to recover 74 cents, when he buys ham and it turns out to be bologna?

Mr. F. Drea (Scarborough Centre): Oh, come on!

Mr. Germa: This is precisely what the man bought. No one is going to take action to recover 74 cents.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Germa: The response I got from the minister was precisely what I had expected. He had said in the House before that he has no legislation to enforce.

Mr. Drea: That's not what he said.

Mr. Germa: But I'm also surprised at the gobbledygook and the curves that he throws into a letter addressed to myself, dated Aug. 30. I quote from paragraph 2. The minister writes: "As you are no doubt aware, this ministry has no authority to regulate food prices in Ontario."

Well, at no time in my letter of complaint had I mentioned food prices. We were not complaining about the price; we were complaining about having been sold a product labelled ham which, in fact, was not ham, but something else. Ham, as we know it in this society, is smoked pork, and it is quite identifiable as far as I am concerned.

But then the minister gives me this curve about food prices in Ontario. I wasn't complaining about the price. It was probably a good price as pork, but it certainly wasn't a good price as ham. This is what we are talking about.

However, the minister did get out of the action by saying: "This is not within provincial jurisdiction and I am forwarding your letter of complaint to Mr. Ouellet and the federal consumer protection branch." I appreciate that the minister did direct the complaint to the feds. Now the feds seem a little confused as well.

But before we go to the feds, in order to give Woolworth's a chance to respond I copied Woolworth's to let them know that I had lodged a complaint. This is where the individual citizen is going to be reluctant to go after these large merchants, because they don't take lightly or kindly to someone interfering in their business; they think it is their own private affairs the way in which they rip off the public.

Woolworth's reacted in the expected fashion and they passed the buck. Their letter tells the minister that they have contacted the producer, the person who made this great huge sausage which I saw labelled as ham. It turns out that the producer is Northern Produce of 308 Notre Dame Ave. in Sudbury, and he has asked Northern Produce to attest to the quality of the merchandise of this ham; "fine ham," they call it. They also indicate they will co-operate with the minister.

Now Northern Produce, after they have received this letter from Woolworth's asking for a letter which would adduce that this was indeed a fine product, are offended as well. They don't believe that a person such as myself, or any consumer, should interfere with their selling of bologna under the guise of ham. A letter is addressed to F. W. Woolworth Co. from Northern Produce, and signed by Mr. Paul Soucy, one of the owners. The last paragraph reads:

> We have noted that Mr. Germa feels he bought a chicken-based product instead of ham. I certainly hope he knows more about the political atmosphere in our area than he seems to know about meat produce.

Now, what kind of a citizen can stand up against people who come back at you like that? I am wise enough to know the difference between chicken and ham, but when he puts bologna or pork sausage in and tries to tell me it is ham, it indicates what is going on in the marketplace. These people will go to any lengths to rook a customer, even to disguising pork sausage with huge placards and huge newspaper advertisements which get people to go downtown to buy an item advertised clearly as ham which has been proven not to be ham.

Anyway, this thing went to the federal minister. Now here is where the gyrations really start. The file on this thing is about an inch thick by now. Since the minister washed his hands of it the thing has been going on between myself and the feds, and I would like to just read some of the gyrations that went on at the federal level when one constituent tried to get to the bottom of a case. It seems that these free enterprise governments of ours rely on the old theory that "b.s. baffles brains." Most people, after they get baffled so long, just walk away from the complaint and say: "Well I am a little poorer, but I am a little wiser." That's a very expensive way to get an education, but unfortunately many consumers have to get it that way.

I would like to read into the record a letter I have here addressed to F. W. Woolworth Co. of Sudbury, dated Sept. 19. It's signed by Ms. D. H. Moore, food specialist. She is with the field operation services for the federal Department of Consumer and Corporate Affairs. It reads:

> This is to confirm our conversation on Sept. 10, 1974, when a consumer complaint concerning advertising the above-mentioned product was discussed.
>
> At this time it was suggested that in future this product be advertised as fine ham sausage to prevent complaints of a similar nature occurring again.
>
> Your co-operation would be appreciated.

So, they have been issued a sort of half-hearted warning, because these governments haven't got their heart in controlling these merchants. They believe too much in the old free enterprise system, and they are not willing to fiddle with it.

We move now, Mr. Speaker, to Oct. 29 and we have another letter on file. It's addressed to F. W. Woolworth Co., 45 Elm St., Sudbury, attention of Mr. Lemieux, and is regarding advertising and labelling of fine ham sausage schinkenwurst. You see, we're making progress, Mr. Speaker.

Mr. F. Young (Yorkview): There's a name for it now.

Mr. Germa: We've got away from fine ham, now. We're into schinkenwurst.

Hon. Mr. Clement: I thought it was chicken.

Mr. Germa: I thought it was chicken, too, but it's schinkenwurst. Anyway, we're defining what we're up against. The letter is to Woolworth's and is signed by Ms. Moore, food specialist with the federal consumer protection branch. It reads:

> Further investigation of the aforementioned product indicates that this product is not made from ham but, instead, from pork and pork trimmings.
>
> In light of these findings to label or advertise this product as fine ham sausage, or schinkenwurst, is in violation of section 5(1) of the Food and Drugs Act.
>
> No objection will be taken to labelling and advertising this product as naming the source of meat, e.g. pork sausage. Further advertising and labelling should incorporate the modified common name. We would appreciate receiving in writing your intentions in this matter.

The letter was signed by Ms. Moore and that was Oct. 29.

The plot goes on, Mr. Speaker. On Oct. 30 there was a letter to Northern Produce. You will recall, Mr. Speaker, that Northern Produce was the butcher shop or factory which put this sausage into its skin. This letter was also signed by Ms. Moore and it reads:

> Re: Fine ham sausage, schinkenwurst:
>
> Recently, we have received consumer complaints concerning the nature of the above-mentioned product. Investigations into this complaint indicates that ham is not being used in this product. Continued distribution of this products as schinkenwurst, or fine ham, violates section 5(1) of the Food and Drugs Act. No objection would be taken to calling this product cooked pork sausage.
>
> Please advise of your intentions in this matter.

Now, the backtracking starts. We were going along pretty good there. Two warnings were issued. One went to Woolworth's: "You can't call this stuff schinkenwurst because it's got no ham in it, and you can't call it fine ham because it isn't schinkenwurst." But on Nov. 22, a further letter signed by Ms. Moore, food specialist with the federal Department of Consumer and Corporate Affairs, was sent to Northern Produce:

> Re: schinkenwurst: Thank you for your letter dated Nov. 5, 1975, concerning the common name of your schinkenwurst. We have received the facts and feel that if the meat content of this product does contain 50 per cent fresh pork ham and does conform to the traditional recipe for schinkenwurst, then no objection would be taken to selling this product labelled as such.

> We caution you, however, on translating the common name on any label, advertisement or bill of sale. German sausages are usually sold by their German names and people in Canada buy these products according to past experience, never really knowing what meats make up each sausage. Trusting this will solve problems arising in the past.

So we don't know where we are going on the schinkenwurst problem. If it's got 50 per cent ham—and there's a big "if" there; we are not sure now. We've had two letters which said there is no ham in it. Therefore we've abrogated section 51 of the Food and Drugs Act and now the feds are starting to back off.

Another letter in my file was written prior to the last one. This one is dated Nov. 14, it's addressed to myself and it's signed by André Ouellet, the Minister of Consumer and Corporate Affairs. When I received this letter I was quite happy to see that the minister had agreed with me. I'll read this letter into the record:

> Dear Mr. Germa:
>
> Officials of my department have now completed their investigation of the advertisment which you brought to my attention concerning a product described as fine ham, which appeared in the Sudbury Star, Monday, Aug. 19, 1974.
>
> It has been confirmed that the product in question was actually pork sausage and not ham, as described. Both manufacturer and retailer have been advised that the label and advertisements were in violation of section 51 of the Food and Drugs Act. both have received official warnings.
>
> André Ouellet.

I think, Mr. Speaker, you can see that the federal government is being quite lenient. We don't know how many people Woolworth's hooked on that Aug. 19 day when it was selling sausage under the guise of ham. There could have been 10,000 Sudburians who bought this, thinking that they were buying ham.

This is where the bill is weak, where it doesn't provide for the government to take action on behalf of a class of people who will not; and they should not, because we are all familiar with the cost of court proceedings and hazards of going through the courts. People just don't have that kind of money to police these merchants. We know they are doing it every day of the week. For every one that's brought to the minister's attention there's another 100 that go unnoticed.

This is only the tip of the iceberg, the cases that come to our attention. Unless prosecutions take place and these people are penalized as an example to other persons in the business, then it's going to continue on and this bill, which the minister is so proud of, will have very little or no effect on what's going on in the marketplace. I'm disillusioned by the bill, but I have to vote for it, because there is a modicum of protection there that we didn't have before. But it's very, very little as far as an individual case like that is concerned.

The latest action on the fine ham caper is that I have written to Mr. Ouellet, the Minister of Corporate and Consumer Affairs, and have demanded that he take court action against Northern Produce, the manufacturer of this sausage, and against F. W. Woolworth Co. Ltd., and until such time as he takes that action, I just don't think that our governments are doing the proper thing by the consumers in the province. I would implore the minister to consider making an amendment to this Act which would cover a case such as I have recited here. No one is going to take action when he is only offended against to that small financial degree. We need an amendment to this Act to provide for the director to take action in the courts.

Mr. Speaker: The hon. member for Yorkview.

Mr. Young: Mr. Speaker, I just want to express one idea to the Ottawa minister, through you, in connection with consumer protection, which I find is not explicit in this bill. That is in connection with the whole problem of packaging. The minister knows, as we all do, how packaging has been built up over the past few years to buffalo the consumer. Weights and measures—instead of pound packages or packages of certain dimensions, we find that those packages are all kinds of sizes and weights. Soapflakes are a case in point. There is no way that the consumer can compare prices adequately on these particular boxes.

I know some progress has been made at the federal level, and perhaps the minister can cooperate with his federal counterpart in this regard. I'm thinking of cheese packages, for example. It used to be that a pound of cheese was a pound of cheese—16 oz. Then it became 15 oz and 14 oz; and now it is 12 oz. Of course, as the weight went down, the price went up, or remained constant. That's one way of raising prices. Cookies used to be in pound packages, too; now we get 7½-oz and 15-oz packages and that sort of thing. When you get into the halves, it's almost impossible for the consumer to compare prices in any meaningful way.

The reason I raise this is that we will be going into the metric system before too long and, it seems to me, there will be an opportunity for the minister, in co-operation with the feds, to do a meaningful job. A great deal of the canning and packaging in Canada is done right here in this province; so we have a lever to work with. It seems to me that as we enter the metric age, we can mandate that packages should all be a certain weight, a certain quality or whatever it may be. There is no reason why a certain number of litres shouldn't be standard, or a certain number of grams, or whatever the case may be. These packages could be standardized in such a way that the consumer could look at them and compare the prices of various brands.

I throw this out to the minister as a possibility, that as we change over to the metric system, it seems to me to be the logical and proper time to face up to this whole problem and to do a real job in the whole field of packaging. I ask the minister to take that under consideration and to incorporate it at the proper time into legislation.

Mr. Speaker: Does any other hon. member wish to take part in the debate?

The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, my hope is that legislation of this sort will be effective without having a tremendous bureaucracy involved with it. I share the concern expressed by my colleague that although the principle of this bill is one we have to agree with, it isn't the most effective and efficient way of implementing protection for consumers. There is also going to be duplication, and I have brought to the minister's attention the concerns of people in industries that are already regulated.

My feeling is that basically the most effective legislation is that whereby we have a group that includes industry, consumers and those people given the legislative power to actually protect the public. Most of industry is usually legitimate, and industry itself knows the tricks of the trade. It's how to deal with those who are not dealing fairly with the public that is the major problem; it's a problem to those in business who are anxious to keep the standards high.

I think this method of enforcing it is going to be cumbersome and ineffective. I say "cumbersome and ineffective" because, in connection with new car sales I have brought to the minister's attention the case of a man who has been trying for years to obtain satisfaction in connection with an undercoating job to his truck. He dealt as best he could with the company, without success. He went to the ministry for help, but the ministry was completely ineffective in helping him deal with the company. This man didn't have the resources himself to sue. What bothers me is that we have a government mechanism here that won't be nearly as effective as a mechanism where it's incumbent on the industry to perform or be subject to the minister's response in some other way. I think that is far more effective. It is also evident in connection with the securities industry, where the major responsibility has been assigned to the industry itself, and the public has representation — although at this point I don't think it has adequate representation — on the Toronto Stock Exchange and the investment dealers' councils.

But I feel that is the way to go because it's in the interest of the legitimate people who are in a majority in these situations that industry do a job. It's much easier for the minister to correct the situation when the minister has a knowledgeable group to work through. So, although I support the principle of the bill—we all do as a matter of fair trade practice—I just cannot see that this is going to do the job that is hoped for. It will be very costly and if the previous legislation of this sort is an example—

Mr. P. D. Lawlor (Lakeshore): He's got a lot more faith in industry than I have.

Mr. Deacon: I may have a lot more faith in industry than the member has, but I find that industry is not much different from any of us in any walk of life, whether we be in politics or the church. We have a lot of people in life who would like to take shortcuts.

Mr. Lawlor: The member's position is incredible. How does industry administer a bill like this? It covers the whole range from farmer to consumer.

Mr. Deacon: What's that? Sure, it covers the whole range.

Mr. Speaker: Order please.

Mr. Deacon: But the fact is that the major problems that we have can be covered through industry policing with legislative backup to ensure that it is done, and it can be done far more efficiently and effectively than it will be through another bureaucracy. As for most of these darned bureaucracies, all they do is frustrate the ones who are trying to do a decent job, and those who want to cheat can always find a way around it.

Mr. Lawlor: The member's got a Pollyanna complex.

Mr. Speaker: The hon. member for Prince Edward-Lennox.

Mr. J. A. Taylor (Prince Edward-Lennox): Thank you, Mr. Speaker, I rise to support this bill but I must confess that I express some of the concerns of other members of the House of all political parties insofar as the shortcomings are concerned in terms of merchandising and packaging in the current era.

My colleague from Thunder Bay was concerned about getting the lead out of his gas and I can appreciate that concern.

Hon. W. A. Stewart (Minister of Agriculture and Food): The member must be careful how he says that.

Mr. J. A. Taylor: The member for Sudbury, of course, was concerned about schinkenwurst, and the member for Yorkview about the size of the packages.

Mr. Lawlor: And "emphatic bologna."

Mr. J. A. Renwick (Riverdale): The minister doesn't believe in it. He told me that in his estimates.

Mr. J. A. Taylor: I thought the hon. member for Yorkview made an excellent suggestion in terms of the current practice to convert to the metric system. I think it's time that we had some uniformity in terms of contents of packaging so that the consumer will know precisely the quantity of what he is buying. It becomes increasingly more difficult every day. If you buy two, then you figure that you may get more or less than you get with a bigger one, and by the time you start converting and bringing out the calculators it's just chaotic. I certainly have sympathy for the shopper.

Mr. Young: Sometimes the bigger ones are more expensive than the little ones.

Mr. J. A. Taylor: That's correct, that's absolutely correct. When you start converting you find that when you think you are getting a bargain, you really are not, you are being cheated, Mr. Speaker.

I have a particular concern in terms of these plastic garbage bags. I remember many years ago when they first came on the market the manufacturers of these bags did everything they could to con the municipalities into permitting these to be used for garbage containers. In those days the municipal by-laws provided for garbage cans with tight-fitting metal lids. Once they distributed some of these bags free, and of course they were bags that were of sufficient strength that even Eddie Shack couldn't kick his way out of.

But today, before you deposit any garbage in the bag, if your finger happens to touch it, it'll poke right through the thing. Of course, so will the corners of boxes or anything else. To me it is just a sheer fraud perpetrated on the public to permit this very poor quality of garbage bag to be marketed in this day and age.

So these are areas that I think should be looked into so that the consumer is protected. We are getting more and more of this type of thing. I think it's becoming even more important to be ever vigilant to protect the unwary consumer, not only in the matters I have mentioned this evening but, of course, in the whole field of consumer items.

Mr. Lawlor: What a wonderful thing the Ontario Legislature is to protect the consumer.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker, I wanted to make a few comments on the bill and point out to the minister some areas in which I am concerned. The first I would make mention of is the foreign automobile. The purchaser of that vehicle has no idea, or quite often has no idea as to the year of make. That automobile could have been made in Japan in 1971. It comes into this country; it's a new vehicle and it has never been used. It has been parked in some parking lot either over there or back here. It would be sold back in Ontario as a new vehicle and really it is a new vehicle, meaning it has never been used. But there is no way of the individual telling whether that happens to be a 1971, 1972, 1973, or even a 1974 model.

Mr. Renwick: Is that important?

Mr. Young: Yes, he gets rooked on the trade-in.

Mr. Renwick: Is the member suggesting there are false representations made?

Mr. B. Newman: Yes, I am.

An hon. member: The same thing happens with a television set or an appliance.

Mr. Speaker: Order, please. The hon. member for Windsor-Walkerville has the floor.

Mr. B. Newman: Mr. Speaker, it is very important from the misrepresentation angle, but also, as they progress, these models have certain safety features on them. The individual buying that automobile assumes that these safety features are on and doesn't realize, even though it may be a new vehicle, it could be three years old, and these features are not included on the vehicle. I think, Mr. Speaker, that the minister should expect or maybe even issue a mandate to the industry to date the model, in other words, that the date be on the appliance or at least the year of manufacture.

You buy a TV set in town here, Mr. Speaker, and you don't know quite often whether you are buying a 1974 model television set or a 1972 model that has never been removed from the crate. There could be substantial difference between the two television sets. That same thing could be true for almost any type of electric appliance. In my estimation, Mr. Speaker, there should be a dating procedure so that a purchaser of the appliance or the vehicle by looking at the vehicle can easily know the date of manufacture or the model date, if they don't use the manufacturing date. I would prefer the calendar date for the manufacture of the vehicle.

Mr. Speaker, another problem does arise in the purchase of a new vehicle. It is guaranteed to perform in a certain fashion. In the meantime, if he is buying it on credit the individual's note is immediately sold to a finance company. He can't bring the car back to the dealer quite often because it's the finance company that has the vehicle and, as a result, he finds himself having to pay for the vehicle. He can't turn it back in. He is sort of trapped.

I have noticed one of the states in the US has a sort of an auto lemon bill. In other words, if you buy the vehicle and it turns out to be a lemon, then you simply have recourse right to the manufacturer rather than through a series of finance companies, Mr. Speaker.

These are the few comments that I wanted to make to the minister. I am concerned with this and I hope there's some way of preventing this type of misrepresentation and fraud.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, excuse me, I have just had a note.

An hon. member: Who is it from? Who is she?

Mr. Renwick: Isn't that terrific? I didn't think anybody knew.

Mr. Speaker, I am concerned about the bill and I am absolutely delighted that so many members have filled in the time until I could have—

Hon. Mr. Clement: I'm not.

Mr. Renwick: —the opportunity to comment about the bill.

Mr. Drea: Yes, but I am after the member.

Mr. Lawlor: Is that what the minister thinks we were doing, filling in the time until he got around to it?

Mr. Renwick: No, well, that's my form of egotism.

Mr. Speaker: Order, please, would the hon. member continue with this debate on the principle?

Mr. Lawlor: Well, narcissism in the Legislature has no place.

Mr. Renwick: May I, Mr. Speaker, say that I have seldom seen a bill that I have had as much difficulty with? The purpose of the bill, the theory of consumer protection, makes us all glow, if anything. We all think it must of necessity be good because the ministry brings in a bill dealing with unfair trade practices in sales to consumers. I am immensely concerned and I want, on one of the few occasions when I do it in the House, to talk in a sort of semi-legal sense. I think what we are doing in the consumer law field is compounding immense complexity upon what was an already unsatisfactory system, and not providing the kind of solution that we want to provide.

I think there is, in fact, something wrong about the motivations that lead government to introduce consumer legislation. I think there is an element of hypocrisy to it. I think there is an element of trying to respond to what they believe to be something called a consumer demand, without ever being able to isolate what the consumer wants or is concerned about.

Mr. Drea: It takes money away from lawyers.

Mr. Renwick: This is part of my problem. Part of my problem is I don't think under this bill that the minister is taking any money away from lawyers. As usual, that erudite profession to which the minister and I, and my colleague the hon. member for Lakeshore, and others belong is also an arcane profes-

sion, and the bill is replete with terms which are going to cause immense difficulty for the courts, immense difficulty for the manufacturers and suppliers of goods across the country, and immense difficulty for the consumer.

I want to talk a little bit about why I feel those difficulties are going to take place. I think the consumer is going to believe that this bill in some way protects him. But it is my guess that by the time any consumer tests the bill in a court or before the tribunal that is set up under the Act or through the director who is responsible for it in its application, he's going to find that if he goes through the courts it's immensely complicated, immensely erudite and immensely expensive for him to establish what he believes to be the kind of protection that he wants. So I think—and I will come back to it—it is an immensely elaborate bill from that viewpoint.

The second thing that bothers me—and I'll come back to each of these again—is that the bill is replete with terms which already have fixed, traditional, legal interpretative use as to what the words mean. In a funny sense I'm not criticizing the ministry this time, but what I'm saying is that we are using terms which already have historic meanings which the judges are going to be impelled to use and compelled to use in interpreting what the bill is about. And we have constitutional problems with respect to the whole question of the doctrine of mens rea or the guilty knowledge intent. The confusions are immensely great in the legal field with respect to the provisions of this bill.

I'm one of the ones who believes that Ontario has to give the initiative in many of these fields and should not allow the federal government to play games in jurisdictions that we can deal with much more effectively than they can. And we must recognize that there's a government in Ottawa very aggressive in encroachment upon the provincial system. We have to play our role in making certain that things of local concern and local contractual arrangements are not overridden by Ottawa. So we've got that kind of complex of legal problems.

Then I think the suppliers of goods and services in the Province of Ontario are entitled to think that somewhere there is enough wit and wisdom among the ministries of consumer and commercial relations across the country, by whatever name they are called, that there would be some uniformity in what they're saying. And there is no uniformity. The minister would obviously have more expert information than I would have. The only bills I have looked at and tried to compare with the bill which the minister has introduced are the bill introduced in Alberta and the bill introduced in British Columbia. I don't know whether there is another bill in Saskatchewan or Manitoba or in any of the provinces to the east, but in any event I have the three bills.

What worries me about the bills, when you try to read them, is that there is a certain similarity of language but there appears to be an inability of the ministries to reach agreement on the same bill, in the same terms, when they are directed to the same end. The similarities are many in the language of the bill in Alberta, which was introduced quite recently, in the language of the bill which I don't think is law in British Columbia at the present time, and the language of the bill which the minister has introduced. There are immense similarities in wording, but they go at it in kind of a funny, different way, which provides an absolute field day for the courts, great difficulties for the consumers and an immense field for the legal staff of the corporations to spend their time trying to understand what the distinctions are between the federal legislation, which touches upon some of these areas, the Ontario legislation, the Alberta legislation and the British Columbia legislation. Those matters really concern me immensely.

I was asking my colleague the member for Lakeshore about the minister's intentions with the bill, and I understand it is going out to a standing committee. I earnestly ask the minister to invite—for one of the few occasions when I think they have a preponderantly important role to play—to invite the professors from the law schools in the Province of Ontario to come and play an important role in the activity of that committee. I think we have the same sort of obligation in this field as we have in the securities field to front-run the standards of behaviour throughout the whole of the country.

I can't understand why, if the minister has been in consultation with his colleagues in British Columbia and in Alberta, and perhaps in the other provinces, there isn't a uniform bill. I think this matter is one of the fields of great difficulty that should be the subject of a uniform bill.

I don't know all of the professors at all of the law schools in the Province of Ontario who could contribute to the standing committee, and I would ask the minister to seriously consider inviting one professor, like Prof. Ziegel from Osgoode Hall at York University—

Mr. Drea: I wonder why, I wonder why?

Mr. Renwick: —and Prof. Trebilcock, from the University of Toronto law school. They must have counterparts at the University of Western Ontario, at Queen's University and at—

Mr. R. Haggerty (Welland South): Carleton.

Mr. Renwick: —and at Carleton, who can deal with this type of question. We have the possibility, and I emphasize to the minister only the possibility, of introducing legislation that will help the consumer. Otherwise we are engaged in some kind of a trap operation, suggesting there are remedies when there really aren't remedies because of the costs involved, because of the immense complication of the legal terminology which is used in the bill and because of the procedures which have got to be followed in order to emphasize it.

Now I don't suggest I know the answers. I don't think any of us know how one in fact provides a speedy, effective, inexpensive solution to consumer problems for those persons in society who in the ordinary way, as ordinary citizens, buy an article in a store or through representations made by sale, or through any of the so-called wholesale outlets that abound on the periphery of Metropolitan Toronto and elsewhere throughout the Province of Ontario, so that they can say: "I didn't get what I wanted"; or "It doesn't work"; or "It broke"; or one of the other things which are involved in it and get some satisfaction.

I think probably related to my concern about this is the fact that the minister has seen fit to throw this bill into the assembly, when we don't have the warranty bill. There has been a green paper and immense input by all sorts of people on the matter of warranties, which can be sorted out because it is a different kind of thing. It is possible to devise the basic form of a warranty which accompanies goods and to establish where variations can be made and can be standardized. That's possible, because people will understand and use that. But we've had the green paper on warranties and we've had the hearings across the province in connection with that, but we don't see the bill.

I may have missed a beat somewhere along the line. I know of nothing of a public nature which led up to the introduction of Bill 55. As I say, I may be quite wrong. Maybe there was some kind of a document distributed to explain this bill. Maybe there were public hearings, although I don't remember having heard about them. Maybe this is just a response which the government feels it must make to something called consumer pressure, without really having thought it through.

I am really concerned about everybody who is going to be involved in this bill. I'm concerned about the lawyers in the sense that while they will charge fees, they won't be able to explain to their clients what it means or what they're going to be able to expect when they go to court, which is the basic function of a lawyer with respect to lawsuits.

I don't think it is possible for a supplier of goods in the Province of Ontario, or his employees or agents, to understand clearly what they are required to do except to be honest. The definition of the term "supplier" raises a very serious legal problem in the whole context of this bill.

I don't think there is a single consumer, when he sees this bill and tries to understand it, who will possibly understand whether or not he's got a legal remedy involved in it, without going to see a lawyer. I don't think he will have any sensation that he is being presented with an inexpensive, efficient method of deciding a consumer complaint. I think we're involved in a kind of marshmallow world of traditional legal conceptions that aren't going to help the consumer at all.

In dealing with this government, we are always involved in the problem of the white Liberal approach of my friends on the right, who think, with reservations, that this is good legislation, and our view, which is as pure as the driven snow, that it's generally suspect legislation which comes from the government because they don't really have any fundamental concern.

Mr. E. R. Good (Waterloo North): The NDP members don't know what their views are.

Mr. Renwick: As my colleague from Lakeshore said on the building code, as a socialist you don't stand and fight the government on the building code. And I guess I don't stand and fight the government on this bill.

I think it is possible, by very tough, disciplined, rigid and expert work in the committee, to produce a good bill. I don't give a damn about the partisan political aspect. I think this bill is not good. I think it is terribly difficult and awkward to deal with.

Mr. Drea: Just lawyers' fees.

Mr. Renwick: My friend from Scarborough Centre, the parliamentary assistant to

the minister, and I basically are talking the same language, I think, about consumer protection.

Mr. Drea: No way!

Mr. Renwick: Well, perhaps I gave him credit where credit wasn't due.

Mr. E. W. Martel (Sudbury East): Right on.

Mr. Lawlor: Don't give olive branches to the generalissimo.

Mr. Renwick: I'm not speaking to the parliamentary assistant in his personal capacity with the heavy responsibility that has been imposed on him by the government to take on this role. What I'm concerned about is the former person of the member for Scarborough Centre who appeared at Osgoode Hall seminars on consumer protection—

Mr. Drea: That's right.

Mr. Renwick: —and at the University of Toronto law school on consumer protection matters. He was asking for a simplistic, readily available, inexpensive and speedy solution to consumer problems where people expend X number of dollars.

Mr. Lawlor: He means simple-minded.

Mr. Drea: We gave it to them.

Mr. Renwick: Okay, all I'm saying is that at that particular point in time the member and I responded that we were talking about the same thing. And this bill doesn't do it, because this bill is back into a world which is: "What is wrong with the legal system?" —that we can't deal with modern problems because we don't know how to deal with them.

I want to spend just a couple of minutes on this. I'm not an expert on the law of the sale of goods. I've advised many people on many problems on which I'm not an expert, and I'm not an expert in the intricacies of the Sale of Goods Act of the Province of Ontario.

First of all, I want to say to the minister that we have had in the Province of Ontario since 1893, if my memory serves me correctly, the Sale of Goods Act. It was modeled upon the United Kingdom's Sale of Goods Act of 1892, which was a codification at that time of the law relating to the sale of goods as it has grown up in the marketplace. I think that's a fair statement. It was a codification of the common law, which Lord Mansfield and a number of people had introduced from the concepts of the marketplace into what a buyer and seller could expect in their relations to the law governing their relationship of the buyer and seller of goods. It has stood the test a long time.

As a lawyer, I want to first say to the minister: I don't understand; I don't know what the relationship of this Act is to the law in the Sale of Goods Act in the Province of Ontario. And there is no indication that anybody can solve that problem.

The second thing I want to say is that terms are used in this Act which have relationship to other statutes. When I looked at the British Columbia Act and the Alberta Act and the Ontario Act, what we are talking about basically are two categories of things. There is a group of things which are deemed to be "false representation." So that's one area. The other area is something called "unconscionable transactions." I'm very seldom critical of the clarity of the legislative draftmanship of the Province of Ontario, but I think the bill is defective in the clarification of those two areas, because there are fundamental conclusions and problems which are involved in the use of those terms. We have in the Province of Ontario an Unconscionable Transactions Act, and a portion of this bill is related to things which are called "unconscionable." But the funny thing is that the government doesn't have the courage to use that term, because that would give the handle to the judges to say that what this Act is about is to enlarge the scope in a modern society of the meaning of the term "unconscionable."

I want to say that a goodly number of the consumer protection problems are related to what can be, in a legal context, the expansion of the term "unconscionable." That's what happens many, many times.

I think the minister will agree that by and large, in a broad, contextual sense, that the items set forth in clause 2, subsection b are the unconscionable transactions. The strange thing is that in the BC bill or the Alberta bill they in fact designate those situations which the minister outlines in his bill as unconscionable transactions.

Mr. Lawlor: He has changed his bill. He is doing that now. He is now doing exactly what they have done.

Mr. Renwick: Well, thank you very much.

Hon. Mr. Clement: I just saw the light.

Mr. Renwick: I got this bill today. He is now referring to them as unconscionable?

Mr. Lawlor: Yes.

Mr. Renwick: Ah, isn't that fine?

Mr. Lawlor: They learn from British Columbia.

Mr. Renwick: Was it British Columbia or Alberta?

Mr. Lawlor: British Columbia.

Mr. Renwick: Both, I think, as a matter of fact. Well, I am simply delighted. Now, one would think I would be thrown off stride, but that would be the last thing that would happen.

Hon. Mr. Clement: No, I wouldn't.

Mr. Lawlor: Never!

Mr. Renwick: I knew earlier today on the building code that if we accepted this tradition of the minister introducing a substitute bill on us we would have some problems with it. All right, that's fine. I am delighted, because it provides the umbrella of "unconscionable" for the various areas he then delineates in the statute, and I thank my colleague, the member for Lakeshore, because that was one of the major problems.

I think, however, that we must have in the committee the clear benefit—because I just don't believe that overnight, because of comparison with other bills or whatever the reasons are—there must have been representations which said to the ministry: "You must clarify this area of the bill, and the term and the way to do it is 'unconscionable.'"

Mr. Lawlor: Only a lawyer could pick that up that quickly on the uptake and just go on so smoothly.

Mr. Renwick: Only a lawyer.

I again want to say that in committee we have to discuss the area of the unconscionability of the transactions. This is the area of the minister's bill where those terms appear throughout the subsection. Section 2(b) says that "the supplier knows or ought to know." Now, that means knowledge; that means the equivalent of something called "the guilty knowledge," and that is what will lead to the conviction when the matter comes to the court.

I think it is an extremely difficult situation to suggest to a consumer that somehow or other he is going to have a valid recourse under section 2(b) of the Act. I think we've got to talk about that in committee and I think we've got to understand what it is all about. I don't think this happens to be the appropriate time, because it is more properly dealt with in committee. I simply say to the minister I am delighted that he has introduced the conception of the unconscionable consumer representation in respect of a particular transaction, including "without limiting the generality of the foregoing," and so on. I think that's fine and I'm pleased with that.

When we come to the first part of clause 2, of course, there is no change in the language of the bill. One has only a limited amount of time to spend on the problems of the legislation of the government, but the principal problem in section 2(a) is the question of whether or not you must have something called "knowledge"—whether you know or ought to know. And the funny thing about clause 2 of the bill, if my reading is correct, is that only in one of the 14 subheadings is there a suggestion that "knows or ought to know" is an ingredient about whether or not the unfair practice is a false, misleading or deceptive consumer representation.

It seems to me, therefore, that what we are saying to every supplier in the province, as that is defined, is, whether he knows or ought to have known is irrelevant to his liability under clause (a) of subsection 2, except with respect to item 8, where the words "knows or ought to know" are included in the definition of what is the unfair practice; what is the kind of representation that will bring the force of the law down upon him. As I say, Mr. Speaker, I must be somewhat legalistic about this particular matter, but to put it quite clearly, subsection (b) of clause 2 is hinged upon "knowing or ought to have known" on the part of the supplier. In subclause (a) of section 2, only in one of the enumerated 14 heads is "knowledge or ought to have known" an ingredient of what is involved in the offence.

What I am saying is that even though one may use terms in a bill which appear to imply a guilty knowledge because of the language of those terms— such as: "The following shall be deemed to be unfair practices, a false misleading or deceptive consumer representation including, but without limiting the generality of the foregoing, a representation" and so on—I think that any person in the Province of Ontario who was not knowledgeable about the historical background of it would say that what is involved in the itemized heads of item (a) of section 2 is something wrong, something that the person knows about; he must know that it is false, he must know that it is misleading, or he must know it's deceptive. And it's the ingredient of knowing that it was false,

knowing that it was misleading, knowing that it was deceptive that brings down the full force of the law upon him.

I am simply saying to the minister that from what I can see, looking at definitions such as appear in Stroud's Judicial Dictionary, in the fourth edition—and in the third edition, to the extent that the fourth edition is not completed—if the minister will look at the word "representation" and look at the word "warranty" for the purpose of distinguishing warranties from representations, he will realize that a false matter does not involve in it fraudulent or intentional behaviour on the part of the person who makes it. It might be quite an innocent representation; it might be made without knowing that it was false; it might be made without knowing that it was misleading; it might be made without knowing that it was deceptive. In any of those regards, what the minister is doing in this bill is imposing a liability and a responsibility upon the suppliers of goods, whether they do or do not know whether the matter is, in fact, false, misleading or deceptive. But the wording of the Act leads an ordinary person to believe that there is something about the guilty knowledge that, yes, when it was made it was known to be false, when it was made it was known to be deceptive, when it was made it was known to be misleading. I am simply saying that the law surrounding the word "representation" in the jurisprudence of England and in Canada has immensely complicated relationships with respect to it. I think the minister has a very real problem, but I think that somehow or other, with care and with the advice of a panel of the lawyers in the law schools involved in these areas, we can sort it out and get a good bill out of it.

Mr. Haggerty: Does the member for Scarborough Centre agree with that?

Mr. Renwick: The next matter that I want to deal with is, I am very frightened about what is happening to the consumer with the federal government and the government of the Province of Ontario, without understanding what they are doing, trying in some rough and ready way to carve up the field.

This bill is a peculiarly apt example of that kind of problem. One reads what the Attorney General and the Provincial Secretary for Justice (Mr. Welch) had to say in April of this year about what was then, I think, Bill C-7, but which has now been reintroduced into the new Parliament in Ottawa as Bill C-2 in substantially unchanged form.

The colleague of this minister, the Attorney General and the Provincial Secretary for Justice made a number of points. And made them not in jealous protection of illusory jurisdictions of the provincial government, but in the clear and fundamental conception that in a federal system such as ours there are certain things best dealt with by us and certain things best dealt with in Ottawa, and that we in Ontario are not going to stand for the kind of encroachment made by the federal government, disguised as some kind of generalized concern about matters that we have got to deal with.

What I am talking about may be just slightly off the edge of the bill. I happen to disagree, and I wish, really, somehow or other, the constitution wasn't derided as much as an obstacle to what we are about. The constitution is a very valid document and the federal government is conferring criminal jurisdiction on the federal courts with respect to things they call federal offences, which extends the ambit of those offences far beyond anything which was ever considered before.

The minister knows this. Usually their legislation relates to those industries under their jurisdiction. Their fair employment practices Act, which was long post the Employment Standards Act of this province, is designed to deal with the traditional jurisdiction of the federal government in the industries that come under their control, the railways, the Bell Telephone Co., the airlines, other areas such as that.

That isn't what they are doing in Bill C-2. They are encroaching upon the constitutional division of powers with respect to the administration of criminal justice. The funny thing is that the minister plays into their hands in this bill. When the bill goes to committee, we will certainly introduce an amendment to provide for it.

When an investigation is to be made by the director under this Act, the motivation for the director to make the investigation relates to whether or not there has been any breach of this Act or of the regulations made under it. I draw that very clearly to the attention of the minister, because the other bill falls directly under his responsibility. The Securities Act doesn't fool around with that game. The Securities Act doesn't talk about breaches of this Act or the regulations. It goes on to say: "For a breach of any provisions of the criminal law of Canada relating to securities can initiate investigation under the Securities Act."

In broad terms, securities are goods. I know they are not included in this Act—I am talking in very broad terms—but securities are securities. The initiative came from the Province of Ontario with respect to the securities legislation.

The Securities Commission has traditionally taken the view that they have a responsibility, not only with respect to the offences under the Securities Act as it now exists, or under the Securities Act 1974, they have a responsibility with respect to the breach of the federal law in force in the Province of Ontario insofar as it relates to securities. And I need only draw the attention of the minister to one or two of the provisions of the Securities Act, which so provides.

In other words, what the Securities Act states—and as usual, at crucial moments I can't find this particular reference—if the minister, in his consideration of this bill before it goes to committee, will look at section 10 of Bill 75, the Securities Act, 1974, which stands on the order paper, it says:

> Where upon a statement made under oath it appears probable to the commission that any person or company has contravened any of the provisions of this Act or the regulations, [Fine.] or committed an offence under the Criminal Code (Canada) in connection with a trade in securities, the commission may, by order, appoint any person to make such investigation [etc.].

When the draftsmen of this Act were involved, they cut out any reference to the federal law and they limited the responsibility of this ministry. I want the minister to understand that in a very complicated federal system, the Parliament of Canada enacts laws which have force in the Province of Ontario, but which it is the responsibility of the Ontario government to enforce.

They recognize it in the Securities Act. This is not a new provision, this is simply an old provision which has been in the predecessors to the Securities Act for a long time. So that the minister's Securities Commission has that responsibility for breaches not only of the Ontario law and the regulations made under, but of the federal law as it relates to securities in the Province of Ontario.

In my judgement, one of the keys to the problem was one which was long solved by the Securities Act. I think the minister has got to give serious consideration to saying in this Act, yes, we will designate as unfair practices—subject to the kind of refined discussion which we've got to have to clarify the nature of what we're talking about in this bill—but the director and the ministry must have the same responsibility, with respect to the consumers, about the enforcement of the federal law relating to consumer protection as it is applied in the Province of Ontario; because the federal law connotes—as it does under the securities law—the criminal law of Canada, which is a matter of federal jurisdiction, and the other aspects of the criminal law of Canada which are not necessarily in the Criminal Code, namely the Combines Investigation Act and a number of other bills which are passed respecting consumer protection.

I just happen to think it is a matter of immense importance to whether or not the Legislature in this province really does care about its responsibility in its laws for the protection of its citizens, not only with respect to our laws, but with respect to the laws of the federal Parliament, which are also our laws applicable in the province.

In that regard, I want to refer the minister to the statement made in April of this year by his colleague, the Provincial Secretary for Justice, on the federal government's Bill C-7. That bill died on the order paper. As I've stated already, Bill C-2, which was read for the first time on Oct. 2, 1974, is a reintroduction of what was then Bill C-7.

I assume the position of the provincial government hasn't changed one iota from the statement made on April 11, and the commentary on the federal government's competition legislation. It dealt with a number of areas, but I can't really believe the Minister of Consumer and Commercial Relations isn't aware of what his colleague said when he introduced this kind of a bill.

I want to take a moment to emphasize what I said by quoting from what his colleague said at that time about the governmen's position.

Before I do that, Mr. Speaker, I want to try to say again that it was fashionable and continues to be fashionable to pretend that somehow or other the constitution of Canada establishing the federal system of government is either an outmoded way of dealing with the society, or that it is a game for lawyers and has no meaningful part in our life. I want to say to the minister that I am a convinced and profound federalist. I don't agree with tinkering around with the gut provisions of the constitution as set out in the British North America Act.

I might agree with certain areas which are not covered in that Act, such as an Ontario Bill of Rights to deal with a real vacuum in our constitution. We can talk about that some other time; because my colleague and I are having a look at the Quebec Bill of Rights, which has been introduced in that assembly.

But with respect to the respective powers and functions and jurisdictions of the two levels of government, I don't really have any serious quarrel about it; I really don't. I think that it is only in that way that we can survive.

What a government like the government of Ontario has got to understand is that the government in Ottawa—and I am not talking about it because it happens to be a Liberal government—is an extremely aggressive, extremely encroaching, extremely destructive government that will only be kept upon its constitutional responsibility by something called the eternal vigilance of ministers like the minister opposite, and the Province of Ontario generally and the cabinet generally; and we have it in all sorts of fields.

But I want to return, Mr. Speaker, to the comments of the government of Ontario on Bill C-7, which is now Bill C-2, which relates again to trying to protect the consumer —and this constitutional problem that somehow or other the consumer is going to lose if we allow it to be fooled around with between the two levels of government.

If the parliamentary secretary to the minister wants to address the assembly I will be glad to yield my place for a couple of minutes and drink my coffee.

Mr. Speaker: Would the member for Riverdale like to proceed with his comments on second reading of Bill 55?

Mr. Renwick: Yes. I'm now quoting:

> Ontario also believes that Bill C-7 includes provisions which represent an unjustified and unconstitutional incursion into areas of provincial concern and responsibility. The extension of the regulatory powers of the restrictive trade practices commission to intraprovincial trade, the creation of civil remedies based on a breach of the Act or a restrictive trade practices order, and the granting of a criminal jurisdiction to federal courts, and the significant and unprecedented attempts to extend federal jurisdiction into areas which have always been considered to be the constitutional prerogatives of the provinces.
>
> The implications of this extension are enormous, because a major expansion in the federal power to intervene in the smallest local details of the national economic life would create a whole new range of property and civil rights previously thought to be the exclusive domain of the provinces. The regulation of local trade within Canada has always been held by the courts to be a matter of provincial concern or interest as being in relation to property and civil rights in the province, or matters of purely local and private nature in the province. Bill C-7 [now Bill C-2] would create an extensive federal presence in this area.
>
> The new civil remedies created go beyond the criminal law authority of Parliament and deal with civil rights in the province. They also deal with matters of evidence and procedure in the civil courts. Ontario views these provisions as matters within the provincial jurisdiction.
>
> The Province of Ontario also objects to conferring criminal jurisdiction, even with consent, upon the federal court. The constitution of criminal courts is expressly excepted from the powers of Parliament by the British North America Act.
>
> Ontario feels strongly that the creation of two separate criminal court systems is not only contrary to both the letter and the spirit of the constitution, but would create serious problems for the administration of justice in Canada. It is important that the criminal law jurisdiction of the provincial superior courts be protected and that all criminal proceedings under Bill C-7, now Bill C-2, be taken into the provincial superior courts.

Mr. Speaker: I must remind the member for Riverdale that we are still on Bill 55.

Mr. Renwick: Mr. Speaker, what I am saying to the minister is that unless he amends his bill in the same manner as is dealt with in the Securities Act of this province, to provide that his ministry, and this government, will enforce and be responsible for the enforcement of federal consumer protection legislation in this province, then in my judgement his bill should not be passed by this assembly. Because there is no way, there is absolutely no way that I know of, that the jurisdiction of the federal government in whatever is the appropriate field properly exercised, should be passed in such a way that this ministry can divorce itself from responsibility.

We had a funny game played here about consumer protection and misleading advertising. Misleading advertising is apparently something which this government doesn't want to tamper with. That's for the federal government. We thought there was a provision about misleading advertisement in the consumer protection law. But when we read

it with the microscopic lens—indeed almost telescopic lens—to try to understand it, we found that it wasn't directed against misleading advertising. Even the Attorney General didn't know that. There are provisions in Bill C-2 dealing with the matters which the parliamentary assistant has raised time and time again.

Mr. Drea: And I'm going to raise them again on the member.

Mr. Renwick: The bait and switch; the referral selling; the misleading advertising—

Mr. Lawlor: Stuffed articles.

Mr. Renwick: Stuffed articles. Any number of matters which are dealt with in this bill, which apparently the federal government is going to pass and this government is not going to accept any responsibility for enforcing; nor is it going to say to them: "We will pass the law. You stay out of the field, because it's our field." I don't care how this government resolves it, but don't abdicate it.

Mr. Drea: Terrific.

Mr. Lawlor: Which level is going to lay the charges?

Mr. Renwick: Now we get to a couple of questions, such as a representation. I'm quoting from Stroud's judicial dictionary in the fourth edition at page 2346.

> A representation is not like a warranty. It is not necessary that it should be strictly complied with. It is enough if it is substantially true. It is enough if it is substantially complied with.

Mr. Drea: I've got to talk too.

Mr. Renwick: I'm quoting from Lord Wright, Master of the Rolls, in the case of With vs O'Flanagan, 1936, Chancery reports page 575 at page 581:

> If that is an accurate definition of what the meaning of the term "representation" is, a false, misleading or deceptive representation must be hinged upon that definition of what a representation is which is not false, not misleading and not deceptive.

So we start from that kind of a definition. I'm not suggesting there aren't any number of other statements but Stroud happens to be, for those in the ingame of the legal profession, not a bad reference book. Stroud is dead, and therefore we can quote him as being of some authority.

The other point which is clearly made is that that is distinct from a warranty. The minister obviously has warranty legislation which is going to come in and complicate another picture which is involved in the sale of goods.

They make a distinction in all of the legal dictionaries that a false representation—and I take it to mean a misleading representation or a deceptive representation—may be innocent as well as fraudulent. I want a clear statement from the ministry as to whether or not they are purporting to impose the kind of results upon a supplier of goods for what may well be a innocent representation. If they are doing that, then my guess is that we've got to think about it very clearly in the standing committee so that we know what we are doing. It is extremely difficult when we don't have criminal jurisdiction in the province to impose upon suppliers, whether they are innocent or fraudulent but particularly on the innocent persons, the responsibility with respect to these various representations which are designated as unfair practices in clause (a) of section 2 of the bill.

The other point which appears to me to have been overlooked in the Act—and again I'm not purporting for one moment to suggest that I'm right about the matter—and which deserves very serious consideration, is that it is my understanding that if the supplier of goods as defined in the Act is, in fact, a particular corporation which has employees and the employees make the representation and they make a false representation—and for purposes of representation I say to the minister they make a false representation knowing it to be false which induces the customer to buy the goods—there is a substantial body of law which says that the supplier, the corporation or the owner of the business, if it is a sole proprietorship, in that case did not authorize his employee to make a false representation and that therefore there is no liability upon the supplier, be he the partnership, the sole proprietor or the corporation, because of a false representation made knowingly by an employee of that organization.

I simply say to the minister that I think there is a very good body of law which says that is so. If it is so, all of the representations which the minister has set out in subclause (a) of section 2 of the bill affect only the supplier. There is nothing in the bill that I know of that makes the supplier vicariously responsible for the unfair practices of the employees of the supplier. It's the employees of the supplier, under the pressures of the economic system which the government is wedded to, who

cause pressures to be brought to bear which lead to the unfair practices which the minister is trying to protect against and which lead in the other parts of the bill, of course, to the unconscionable transactions part of it.

I am simply saying to the minister that in the standing committee I would like to have a very clear statement from the ministry that they understand the implications of that problem, because if tentatively the body of law to which I refer is correct, then in fact they are never ever going to be able to establish the responsibility of the corporate supplier, the sole proprietor supplier, the partnership proprietor, with respect to the representations which are unfair practice as made by the employees, unless he can establish that the board of directors of the supplier, if it is a corporation, or one of the partners in the partnership, if that is the supplier, or the sole proprietor, instructed the employee or knew that the employee was going to engage in the sale of his goods in the marketplace using unfair practices.

I think it is an immensely serious problem. I again reiterate that in committee I would hope we will be able to get some kind of definitive statement with respect to those kinds of responsibilities. If I may point out to the minister, unless the bill as now before us contains a definition of services—and I take it that it doesn't—in the amended bill the minister has simply got to provide a definition of services. A consumer representation, which is what we are talking about, means something made with respect to supplying goods or services. The minister defines goods and amended the definition of goods in the bill which is before us in order to get to something called tangible goods. If he doesn't define services, he is in serious trouble.

The strange thing is that Bill C-2 at the federal level—and I'm not suggesting that is the definition that should be imported into our Act—defines services in the extension of the Combines Investigation Act to cover services. I want to direct the minister's attention to the definition of services as it appears in the Alberta bill with respect to this problem.

It seems to me that if people are supposed to understand with clarity what they are about, one can't lump into "consumer representation" the terms "a representation, statement, offer, request or proposal, made respecting or with a view to the supplying of goods or services, or both, to a consumer," and define the term "goods" and not define the term "services." I'm suggesting to the minister that in committee he should seriously consider the various possibilities of that particular kind of definition.

I want to comment very generally again, but only for the purpose of giving the ministry and the minister's advisers some opportunity to deal with this aspect of the problem. I want to say to them that you can't drop into a statute something called a material fact without defining it. You simply create untold legal problems for the courts.

Whether they willingly want to create the problems or perpetuate the problems, the fact of the matter is that in one of the provisions with respect to an unfair practice there is an elaborate statement that "a representation using exaggeration, innuendo or ambiguity as to a material fact or failing to state a material fact if such use or failure deceives or tends to deceive" is an unfair practice.

Again I draw the attention of the ministry to the fact that in the Securities Act it defines what the word "material" means; in this statute, it doesn't.

I'm not saying for one moment that the definition is transferable from the Securities Act, but as the minister well knows, in security law the question of materiality is fundamental to the obligations of corporations to provide continuous disclosure with respect to their affairs. The definition of "material" is very important to anything which deals with something called a material fact.

The reason I raise the question is because one could say, of course, that a court could go ahead and work out its own theory of material fact. I don't really think our laws passed in the Legislature are engaged to promote the jurisprudence of the province; we are really engaged to try to avoid litigation. As every good lawyer knows, he tries his best to keep his clients out of the courts, rather than to have to have them resort to the courts.

When one refers to that particular section, I happened to note down that, "Untrue commendation"—this is a wonderful statement of the law between buyers and sellers—"untrue commendation or untrue depreciation of an article which is to be sold, as is usual between buyer and seller." That is the usual give and take of who can do who best as between buyer and seller. "Unless such untrue commendation or depreciation is made by means of a definite false assertion as to some matter of fact capable of being positively determined."

Strangely enough, out of that ancient statement of what was material and what

wasn't material, we have come in this modern age to the conception of a material fact. We have got to put into this bill a definition of the meaning of the term "material." I am not going to spend any more time on the other aspects of the bill with respect to the director's responsibility, the extensive provisions with respect to making investigations, the powers that can be exercised, the provisions with respect to the making of regulations and all of the other multitudinous provisions of the bill. I think those matters can be appropriately and properly dealt with in the standing committee.

I want to urge upon the minister—and I am sure my colleague, the member for Lakeshore, would be in total and complete agreement with me, although we haven't discussed this specifically—that the minister must invite those professors knowledgeable in the law of sale of goods and the meaning of all of these diverse terms and the problems that are involved in these terms, to the standing committee, to let us have their helpful and useful advice, through which I think we can come up with a good bill. It is only on that basis that I could bring myself to vote for the bill. It is my hope that out of this we can in fact solve some of the problems which I have tried to express as the problems which are in my mind tonight about this bill. I don't quite know how we escape from the lawyers' paradise into the real world of consumer protection.

Mr. Drea: The member is right.

Mr. Renwick: Yes, I know. That's why I said earlier that the member for Scarborough Centre was right on.

I think it is an immense problem, and I want to make certain that when we pass this bill, we are making at least a minor step out of the lawyers' world and into the real world of protecting the consumers of the province, inexpensively and efficiently, against the sale to them of shoddy goods or goods that don't meet the representations which they are entitled to expect and which would be made in connection with the goods.

I still don't know how we can deal with this kind of a problem when we have got the warranty thing kicking off to the side and no indication that bill is going to come into the Legislature at the present time. When one considers the Sale of Goods Act, this bill, the warranty legislation, the encroachment of the federal government and the jurisdiction of the federal government—well, if I really had my way about it, I'd vote against it all, because this government is creating such a mish-mash between us and the federal government, and with due respect to the minister's colleagues in the other provinces a mish-mash of consumer protection, that it is likely that the consumer ultimately will be worse off in enforcing his rights than he would have been if we had not got involved at all in the consumer protectionism which is so fashionable at the present time.

The funny thing is that fashions come and go. It is fashionable for governments to do what is fashionable, and this government is doing that, unless in committee we can make some actual sense out of this bill. If I had to designate it from the point of view of the accuracy of the legal conceptions which are involved in it, I would personally say it was atrocious.

Mr. Speaker: The hon. member for Scarborough Centre.

Mr. Drea: First of all, Mr. Speaker, I would like to commend my friend the member for Riverdale. I don't necessarily agree with all of his conclusions. I certainly agree with one of them: It is about time we separated the rights of consumers from the dream world of the solicitor or the lawyer. I give him full marks for saying that because I think he has rather expert knowledge on that. I think we would agree on that.

Mr. Speaker, I want to talk about Bill 55 in the light of my own experience and I want to talk about it with full regard to a couple of my friends on the other side. I am going to say some rather harsh things here tonight and I would like them to know that I am disassociating them from the type of thing I want to say, because I really believe they too have the interests of the consumer at heart. I have listened for the last three years upon many occasions to my friend the member for Windsor-Walkerville, who has produced a great many ideas. I certainly hope that in my relatively brief tenure here we get most of them accomplished; also those of my friend the member for Welland South.

Mr. Speaker, I want to talk about consumer protection, because two years ago I stood up at a meeting of the lawyers in Osgoode Hall —my friend from Riverdale was there, my friend from Lakeshore was there—and I said, Mr. Speaker, that for practical purposes there was no realistic consumer protection in this province.

A few hours later, the present minister got me on the phone and said: "Did you really say that?" I told the present minister that

I certainly said it and I said it for a number of reasons. First, there was no orderly, stable way for the normal, conventional consumer in this province to get remedies against the things that were being done to her or to him. Second, all of the supposed protections really were a very convoluted, very complex and indeed very time-consuming and very impractical way of trying to remedy a very simple problem.

When I say a very simple problem, Mr. Speaker, I am not talking in terms of the principle. I am talking about a very simple problem in terms of dollars and cents. I recall tonight the member for Sudbury was talking about a matter of 74 cents. I worry about matters of 74 cents and so does my minister.

Mr. Speaker, I want to tell you that Bill 55 is a result of the last two years of not only a minister of this government with the guts to do it, but, Mr. Speaker, I want to talk about the civil servants who helped produce this Act. Mr. Speaker, I want to talk to you tonight on the general principles of this bill because indeed they are a hallmark for the consumer in the Dominion of Canada, and, Mr. Speaker, I say this with full knowledge that the federal government has copped out on every single piece of consumer legislation it has tried to introduce.

I think that's a matter of record. Indeed, if you want to look at the record, you can look at all the ministers of the federal government who have tried to introduce consumer legislation over the years, Mr. Speaker.

For the first time we are talking about declaratory legislation and declaratory legislation is very essential for the consumer. It is all very well for all of the legal experts of this province to tell you that you have the common law on your side, Mr. Speaker. It is all very well to say you have the courts on your side. It is all very well to say the Crown is on your side. It's all very well to say that the judge is on your side; and it's all very well to say the jail is on your side. But what good does it do you when its costs you $450 plus costs to try to get somebody for cheating you out of $25? About five per cent of the businessmen of this province have been working that equation very, very successfully over the past 35 or 40 years.

I don't think that consumer legislation really belongs to the lawyers or to legal aid or to whatever type of programme we set up. Without terribly much reference to my past career, Mr. Speaker, I've probably handled over 50,000 to 60,000 complaints of individual consumers. It may be of interest to some of the people here that probably about two per cent really should have been handled by lawyers, not in terms of the fees that the lawyers would charge and not in terms of the time that the court would take, but in that these were really very simple, direct things that people could understand. Unfortunately, once they got to the hands of the lawyers and once they got to the hands of the courts, the time, the bills, the costs, the studies and the problems just kept escalating until virtually every time one got clipped in a two-bit dance studio it was a case for the Supreme Court of Canada.

I say that with absolutely no disrespect for the judiciary of this country except, and I will say it, that there are times when the courts really have to take a common sense attitude to what is going on in society and not what is written in the legislation.

Mr. Speaker, this bill is going to be a great dream for me. It means that middle-aged men and women, whose only fault is that they grew up in a small town, moved into a big city and are lonely, are not going to be clipped for $1,000, $2,000, $3,000 or $10,000 in some two-bit dance studio and then told there really isn't any effective remedy in law.

Mr. Renwick: Come on! The rhetoric doesn't match the bill.

Mr. Drea: Oh nonsense!

Mr. Renwick: That's exactly the problem.

Mr. Drea: The member talked for an hour and I'm only going to talk for about another six minutes. Now be quiet.

Mr. Speaker: Order please.

Mr. Stokes: Don't confuse him with facts.

Mr. Drea: Mr. Speaker, I will stake my reputation on the fact that anybody who goes into a dance studio the day after this thing is proclaimed and comes out with an accusation that he has been clipped for a contract, will not only get his money back but we will put the type of cretin that operates that particular type of an establishment behind bars and everybody in this House will applaud. I suggest to you, Mr. Speaker, that is the work of the present minister.

Mr. Renwick: If the member is going to put that person behind bars, it is a matter of criminal law and he should have been put behind bars before now. Now let's not fool around. The theory that—

Mr. Drea: For a guy who comes to me and says, get them out of it, be quiet.

Mr. Speaker: Order, please.

Mr. Renwick: Name me so I can go home, will you, Mr. Speaker?

Mr. Drea: Name him, Mr. Speaker? I would suggest you tell the hon. member for Riverdale that as a graduate of some of the law academies of this province he really should know that the criminal law is not exactly the jurisdiction of this province. Really if he's going to perform as a solicitor in this province, he should know where the jurisdiction belongs.

Mr. Speaker: The hon. member should return to the principle of the bill.

Mr. Drea: Mr. Speaker, I want to continue on and I don't want to be interrupted.

Mr. Renwick: As usual, the hon. member for Scarborough Centre missed the point.

Mr. Lawlor: How is the member going to get the guy's money back? Under what section?

Mr. Drea: Because of the obstruction by the like of the hon. member.

Mr. Speaker: Will the hon. member continue with the debate on principle?

Mr. Drea: Mr. Speaker, that is going to be a very great day for me. It is also going to be a very great day when these people who go into—

Interjection by an hon. member.

Mr. Drea: Will the hon. member please be quiet?

Mr. Lawlor: He is misrepresenting what the bill says.

Mr. Drea: I couldn't misrepresent what the bill says to the hon. member because he has never read it.

Mr. Speaker: Order, please.

Mr. Lawlor: I can't even reply to that, it is so doltish.

Mr. Drea: It happens to be true.

Mr. Lawlor: How is the member going to get the guy's $25 back again? Show me where in this bill. It is silly; it will cost him $450.

Mr. Speaker: Order, please. The hon. member for Scarborough Centre will continue.

Mr. Lawlor: Talk about living in a dream world.

Mr. Martel: It is over his head.

Mr. Lawlor: He generates them for himself.

Mr. Stokes: He is hallucinating.

Mr. Lawlor: Parliamentary assistant—my God!

Mr. Drea: Mr. Speaker, I would appreciate going on without the interruptions from rude rubes.

Mr. Lawlor: The hon. member may appreciate it, but in vain.

Mr. Drea: Mr. Speaker, it is all very well to say to me to continue, but what am I going to do with that kind of thing?

Mr. Lawlor: What can he possibly do?

Mr. Drea: Oh—

Mr. Lawlor: He can sit down and keep quiet, and stop misrepresenting his own legislation.

Mr. Speaker: The hon. member will continue debating the principle of the bill.

Mr. Drea: Mr. Speaker, I have been trying to go through the principle of the bill, and I am not going to be dissuaded from it. I was talking about the dance studios. It's going to be a very great day for me—

Mr. Martel: He's taking dancing lessons.

Mr. Lawlor: Is he going to do the tango or the waltz?

Mr. Martel: The member is going to do the soft shoe, is he?

Mr. Germa: The whole world is waiting for the dance studios to be closed.

Mr. Renwick: Are the dance studios providing goods or services?

Mr. Drea: Mr. Speaker, I think this will be a very admirable Hansard to send out to the people of this province who have been clipped. It will show that those who come in here with their tongue in their feet every day, talking about the poor masses of Ontario, only have in mind making a wisecrack in this House—

Mr. Speaker: Order.

Mr. Drea: —and I think perhaps that kind of Hansard should go out across the Province of Ontario.

Mr. Speaker: Order, please.

Mr. Martel: Why doesn't the member order a million copies?

Mr. Speaker: Will the hon. members allow the member for Scarborough Centre to continue?

Mr. Lawlor: We'll think about it.

Mr. Germa: Can he change a $3 bill?

Mr. Drea: Thank you, Mr. Speaker. For a moment, with the last remark and based upon the intelligence it was based upon, I thought you weren't here. But I shall continue.

Mr. Lawlor: Go ahead. Kiss the blarney stone.

Mr. Drea: Mr. Speaker, it is about time in this country that the service industry really was recognized as one of the culprits in the area where consumers, attracted by advertising and all the glamour of advertising, were brought into a situation where they expected something; and perhaps the expectation was fulfilled psychologically, but when they came down to dollars and cents and the real world, the product wasn't delivered. I am talking in terms—and I have said about the dance hall, that I realize it is a figure of amusement among some people in this Legislature. I really realize that—

Mr. Lawlor: Don't be provocative. The member is going to finish in six minutes. I am counting on that.

Mr. Drea: Of course, they are the kind of people who show up in court to defend the kind of people who do this. But that is not my problem. Mr. Speaker, I realize that they think this is quite funny.

Mr. Martel: No, it is just the speaker.

Mr. Drea: I realize they think it is quite funny that people get clipped in phoney health studios—

Mr. Lawlor: It is not funny.

Mr. Drea: I realize that they think it is very funny that people get clipped at the door—

Mr. Lawlor: No, listening to the member is a tragic experience.

Mr. Drea: Be quiet!

Mr. Speaker: Order, please.

Mr. Drea: Because they cannot understand the English language, they get clipped with magazines. I understand how difficult it is for some of the hot-shots around here who are—

Mr. Speaker: Order.

Mr. Lawlor: All the splenetics don't mean a thing.

Mr. Speaker: Order, please. The hon. member will return to the principle of the bill.

Mr. Drea: Mr. Speaker, I am talking about the principle of the bill, and I sincerely wish that the people who interrupt me would interrupt me on the principle of the bill.

Mr. Lawlor: Five minutes and three seconds left.

Mr. Drea: We have a bill here where we are not asking the consumer to go to court. We are not asking the consumer to prove the case.

Mr. Lawlor: Is the government going to court for them?

Mr. Drea: We are not asking the consumer to bring in expert evidence. We are laying down a set of principles in this province. We are saying you cannot produce or offer for sale something you know that you cannot deliver.

Mr. Lawlor: The member is hoodwinked by his own legislation.

Mr. G. Nixon (Dovercourt): Good stuff.

Mr. Lawlor: That's what happens to good men; they get caught in the tangle of their own nets.

Mr. Drea: Mr. Speaker, if you are going to reprimand me about going off the bill, I would ask you to name the very rude people who are interrupting me.

Mr. Lawlor: No one will reprimand the member for Scarborough Centre.

Mr. R. F. Nixon (Leader of the Opposition): Name them.

Interjections by hon. members.

Mr. Speaker: The hon. member will continue.

Mr. Drea: Mr. Speaker, I'm suggesting to you in this bill that we have done not only what the consumers have asked us to do over the years, but indeed what the consumer lawyers have asked us to do—not the

consumer lawyers who get legal aid to defend those who are victimizing the consumers, but indeed the people who are very interested in the plight of the consumer.

Mr. Lawlor: Listen, the bill's great. It's the member's defence of the bill that is terrible, that's all. The bill is correct. He doesn't have to make it any worse.

Mr. Drea: Mr. Speaker, if the member for Lakeshore says the bill is great then I will just underline that. We obviously have reached the penultimate in this House.

Mr. Lawlor: The member is spoiling it. He is trying to defend it. It is indefensible.

Mr. Drea: Mr. Speaker, I'm not trying to defend this bill; I am trying to extol the virtues of the minister who produced it.

Hon. Mr. Clement: Try that on for size.

Mr. Drea: Mr. Speaker, I want to tell you that in the past two years under the present Minister of Consumer and Commercial Relations in this province, tonight we are starting to achieve something.

Mr. Lawlor: Now we are getting down to brass tacks.

Mr. Drea: We have the finest piece of consumer legislation in this country.

Mr. Lawlor: As I said earlier today, the whole universe. Almighty God blushes when he sees the minister's bill!

Mr. Drea: Mr. Speaker: since the member for Lakeshore is the self-styled expert, and says in the whole world or the whole universe, I bow to him. But on a more serious and a more practical note, because we cannot always accept his judgements—

Mr. Lawlor: Let's not get serious.

Mr. Drea: —we have a piece of legislation that has real meaning in the household. We have a piece of legislation under which, indeed, when somebody is victimized he has a very orderly, a very calm, a very stringent procedure which can be followed. Mr. Speaker, we have weighed the scales against the crooks. Mr. Speaker, the consumer who is victimized now has all the powers of government, all the powers of police, all the powers of everything on their side.

I suggest to you, Mr. Speaker, that it might be a very good occasion tonight to look back over all the private bills of the last 15 or 20 years. I'm not going to take the time, but it might be very interesting for a researcher in the future to take a look at those private bills. I suggest to you, Mr. Speaker, that every one of those private bills dealt with a very specific instance where the public was being victimized by somebody masquerading under the general operation of a businessman or a particular service industry; and it might be very significant to find out that with the introduction and the passage of Bill 55 in this Legislature those days are over.

Mr. Speaker, the reason I have spoken about three minutes longer than I intended—other than the unfortunate interruptions by those who really don't understand the concept of the bill—is that I want to pay tribute to the particular minister.

Mr. V. M. Singer (Downsview): Which one is it?

Mr. Lawlor: He doesn't have to, really.

Mr. Speaker: Order please. The hon. member will return to the principle of the bill.

Mr. Singer: Very well said, Mr. Speaker.

Mr. Lawlor: No red roses for him.

Mr. J. E. Bullbrook (Sarnia): He's had no red roses since I knew him in law school.

Hon. Mr. Clement: Give it to them, Frank.

Mr. Speaker: Order please.

Mr. Martel: The minister just turned him loose—does he realize that?

Mr. Drea: Mr. Speaker, with all due respect—

Mr. Singer: Which bill is the member talking about?

Mr. Drea: —I really would suggest that the attitude and the intent of a minister is very particular to the principle of a bill.

Mr. Singer: Yes. Oh, yes.

Mr. Drea: It may not be for third reading, but it certainly is for second reading, and I say that with the deepest of respect. I suggest to you that up until this minister took this portfolio in this government in Canada, there hasn't been a single approach to controlling all of the vicissitudes of the service industry, particularly those that were offering a service that was paid for now but was to be fulfilled at a future date.

Mr. Bullbrook: It sounds like the Holy Roman Empire.

Mr. Drea: I suggest to you, Mr. Speaker, that tonight we are making history in this country.

Mr. Lawlor: That's blatant nonsense. The Competition Act has been around for years—too many years. The American model code has been around.

Mr. Drea: Well, well, well. I've had enough of that member.

Mr. Lawlor: What kind of nonsense is this?

Mr. Drea: He could have made one phone call in the last session and got that bill passed and he wouldn't even spend a dime. So he should be quiet.

Mr. Speaker: Order please.

Mr. Lawlor: I spoke to Herbert Gray.

Interjections by hon. members.

Mr. R. F. Nixon: It would have taken two phone calls.

Mr. Drea: The member used to stand up here and say, "We can get anything done." Yes, he really is something. The great real estate lawyer, yes sir. He really is something, and everyone had a look at him—

Mr. Speaker: Order please, the hon. member will return to the principle of the bill.

Mr. Singer: Well said, Mr. Speaker.

Mr. L. Maeck (Parry Sound): Dead on, Frank; right on.

Mr. Lawlor: Get on with the bill.

Mr. Drea: And don't let him ever try to carve me; just don't.

Mr. Martel: The 11 o'clock show is at the Victory.

Mr. Drea: Mr. Speaker: I have tried to remain—

Mr. Lawlor: Oh, he has not, that's the biggest lie of them all. He never tries to stay calm. That is out of character, one of the nicest things about him.

An hon. member: He's right, you know, Mr. Speaker.

Mr. Drea: Mr. Speaker, despite a number of great sacrifices tonight—

Mr. Singer: Mr. Stanfield spoke well of the member last night.

Mr. Drea: No, a great many sacrifices tonight.

Mr. Speaker: Order please.

Mr. Martel: His elbow is sore from those sacrifices.

Mr. Singer: Did he think this was the greatest thing that ever happened in the world, too?

Mr. Drea: Yes.

Mr. Speaker: The hon. member for Scarborough Centre has the floor.

Mr. Martel: We would have never known.

Mr. Bullbrook: Return to the principle of the minister.

Mr. Singer: Yes, great fellow, the minister.

Mr. Stokes: He is very fortunate to have the member for Scarborough Centre as a parliamentary assistant.

Mr. Drea: Mr. Speaker, maybe when you can restore order I will be willing to finish the lesson.

Mr. Lawlor: We like the member when he is on his feet. We never want him to sit down.

Mr. Speaker: Order please.

Mr. Singer: It's pretty hard, Mr. Speaker, with all this nonsense going on.

Mr. Bullbrook: It is the best bill since Attila the Hun.

Mr. Singer: They haven't got one like that in Bangladesh.

Mr. Lawlor: The member has never been bothered with heckling before in his life. Let him get on with it.

Mr. Singer: Come on, speak up. Don't be bashful.

An hon. member: Don't be nervous.

An hon. member: A little order over there.

Mr. Speaker: Order please, order.

Mr. Drea: No. Mr. Speaker, I'm looking at the clock. I've made a great many sacrifices to speak tonight. Now unfortunately, the sacrifices are over, so I might as well continue.

Mr. Speaker, I just want to wind up—

Mr. Stokes: What kind of sacrifices were they?

Mr. R. F. Nixon: Careful, Frank, that's not parliamentary thinking.

Hon. Mr. Clement: She has gone home.

Mr. Drea: Mr. Speaker, just to conclude on the principle of this bill, because I want to give the minister a little bit of time—

Interjections by hon. members.

Mr. Martel: How generous, how generous of the member. Pat him on the back for that.

Mr. Drea: You know, I could have been having a good time about 40 minutes ago. I waited here.

Mr. Martel: We could have been through the bill if the member hadn't.

Mr. Drea: I really wish that the members would give me about a minute and a half.

Mr. Singer: Why?

Mr. Drea: Mr. Speaker, I think that Bill 55 marks the introduction of a very important phase, not only of law enforcement but consumer protection in the Dominion of Canada and in the Province of Ontario.

Mr. Martel: In the world.

Mr. Singer: Bangladesh too.

Mr. Drea: Mr. Speaker, I can truthfully say that when I first ran for office I said I was going to get a number of things done in the consumer protection field. It may be of great comfort to the opposition that as of tonight, on the basis of what I said originally, I have no reason to continue in office.

Mr. Lawlor: Is that the height of his ambition? Can he do nothing better?

Mr. Drea: Mr. Speaker, I think it is a great accomplishment for a Minister of Consumer and Commercial Relations in this province, hindered as he is by the absolute intransigence of the people in Ottawa—

Mr. Martel: Now the member can quit.

Mr. Drea: —to produce the kind of bill that for 5½ years, in one of the largest newspapers of Canada, I was advocating, the people who read it were advocating, and quite frankly, Mr. Speaker, a bill that will indeed not only—

Mr. Singer: Oh, great stuff!

Mr. Drea: —affect the economic future of very many hundreds of thousands of people in Ontario, but will set the example across this continent.

Mr. Singer: If not in the whole world.

Mr. Drea: Mr. Speaker, it is quite true that two years ago I said that for practical considerations there was no real consumer protection in Ontario. Mr. Speaker, at 11 minutes after 10 this evening I suggest that with the passage of this bill we have absolute consumer protection in this province and it is due to the present minister. Thank you.

Mr. R. F. Nixon: Absolute?

Mr. Speaker: Does the hon. minister wish to reply?

Mr. Martel: After that?

Mr. Stokes: That's a pretty hard act to follow.

Hon. Mr. Clement: Mr. Speaker, it is so long since we started this bill I forget which one we are on.

Mr. Singer: Withdraw it.

Mr. Martel: He will have to speak up.

Hon. Mr. Clement: But who else, Mr. Speaker, can say it more accurately and with more emotion than the member for Scarborough Centre, my parliamentary assistant?

Mr. J. F. Foulds (Port Arthur): Only 116 other people, that's who.

Hon. Mr. Clement: I'm only disappointed that many of my friends from across the floor, in the New Democratic Party, were not here to listen to the member for Scarborough Centre.

Mr. Martel: They were getting indigestion. There's a limit even to our absorptive capacity.

Hon. Mr. Clement: Well, I image they are pretty touchy. I have no reason to wonder why they should be, but I really think that he was very succinct and short in his remarks and observations on this bill.

Mr. Martel: Then the minister might as well sit down.

Hon. Mr. Clement: Now, we started off, it seemed, earlier this week or perhaps it was even today, with the member for Perth (Mr.

Edighoffer) who I see has been home to see his family since he started the discussions and has been back here this evening.

Mr. Singer: He couldn't stand the member for Scarborough Centre.

Mr. Bullbrook: Why does the minister do that? That wasn't necessary.

Hon. Mr. Clement: His initial observation was that he supports the intention of the legislation, and that, of course, was not unanticipated by me. I know the member for Perth and I know that he is particularly astute and profound in his consumer observations, and I felt great strength in knowing that he supported the bill.

Mr. Martel: Does the minister want a shovel now or later?

Hon. Mr. Clement: He dwelt on my opening statement where I used the word "hopefully," saying that hopefully this would correct many consumer abuses. I just want to point out to him that that was not really an anticipation on my part, but an indication of the modesty that exists in the consumer ministry in this province. But I am glad that he picked it up and that he did draw it to the attention of the House in his own way.

He also queried whether the bill and the legislation would be expensive to the government. The only complement we will require is the director and a secretary. As the member perhaps knows, we are reorganizing the business practices division and we utilize the inspection services already available in terms of motor vehicle, real estate and collection agency inspectors and so on. So I can assure the House that it will not require a substantial additional complement in order to implement the legislation. We anticipate that the cost to the government of the implementation of the legislation will be approximately a gross $40,000 per annum.

Mr. Martel: To hire one inspector.

Hon. Mr. Clement: I don't intend at this time to deal with specific sections raised by the member for Perth, and I don't avoid those on the basis that I wish to avoid them, but I think we will deal with them specifically in committee. In view of the fact that the time is running against us at this particular hour, I think that if the member for Perth will agree with me, I'll pass over the specific sections.

I want to point out, however, just one matter: He gave a description of a situation which existed and he read certain matters into the record dealing with one businessman buying some hockey bags or something of this nature. May I point out that the definition of "consumer" excludes that type of situation? It does not fit within the legislation, because if a person buys for the purposes of business it is not a consumer transaction within the definition of the legislation, and I want to make that clear to the business people of this province.

Secondly, the instances referred to by the member for Perth are all preambled by either section 2(a) or 2(b). There must be a misleading, false or deceptive consumer representation, and add to that the (i), (ii), (iii) and so on. The second portion, under section 2(b), deals with the unconscionable transactions and there has to be the second preamble leading into the practice. I can visualize someone innocently doing something through an agent or an employee which might give rise to one of these matters set out under one of the subsections under paragraph 2. But as long as there is nothing false about it—

Mr. Singer: The minister was talking about this earlier.

Hon. Mr. Clement: —or as long as there is nothing misleading or deceptive then no prosecution will arise.

Interjection by an hon. member.

Hon. Mr. Clement: In those jurisdictions that have this type of legislation, namely in the United States, the director or his counterpart in those jurisdictions will draw to the attention of the company that complaints have been received, that technically the Act has been breached, and, while there may be no mens rea or knowledge on the part of the company per se, they want them to cease and desist. And the company will quite readily give the undertaking, the certificate of voluntary assurance, that it will not continue, and no prosecution through the courts then arises.

I am also grateful for the observations offered by the member for Lakeshore. He was concerned about the constitutional position and the position that we are now in in view of the processing through the federal system of the new Competition Act.

As I recollect from my notes he also drew to our attention, or queried, the difference between the three- and six-month period. Where an unfair practice comes to the attention of the consumer within three months certain things can happen, that is, namely,

the rescission of the contract. I am dealing now specifically with section 4, subsections 5(a) and (b). In clause (b) it's six months after the agreement is entered into, and there was some question in the hon. member's mind as to why the time period perhaps should not be the same.

Mr. Lawlor: Or longer.

Hon. Mr. Clement: I needn't point out to the House, and in particular to the member, that in the first instance it could be many, many months after the transaction was entered into, and the three-month period then runs, of course, from the time it came to the consumer's knowledge.

Mr. Singer: Look at the Minister of Government Services (Mr. Snow), Mr. Speaker.

Hon. Mr. Clement: The other period in subsection (b) is specific. It is six months after the time that the agreement is entered into if it is a practice under subsection (b) or an unconscionable transaction.

Mr. Singer: Look at him, sound asleep. He is sound asleep.

Mr. R. F. Nixon: Bring back Drea.

Mr. Singer: Drea can wake him up.

Hon. Mr. Clement: Who's asleep?

Mr. Singer: The Minister of Government Services. Sound asleep.

Hon. Mr. Clement: Oh, no. I tell you, the Minister of Government Services is one of my colleagues who ponders and meditates late into the night.

Mr. Singer: Yes, ask him what he is thinking.

Mr. R. F. Nixon: Ask him what he is thinking.

Hon. Mr. Clement: And he may well wish to speak to this bill on another occasion.

Mr. Singer: If the House adjourned, he would still be here until the morning.

An hon. member: And he may even wake up.

Hon. Mr. Clement: The member for Lakeshore also drew to the attention of the members of the House—

Mr. Singer: He is very tired, he has had a hard day.

Hon. Mr. Clement: —I can't say it was an aversion on his part, but he certainly questioned why the consumer could not compel the director to proceed with a cease-and-desist type of order.

May I point out to the House that I don't think the consumer should have control of the legislation, if in the opinion of the director no further processng of the matter should be undertaken. The director is a professional dealing in consumer matters; the consumer is not always such a professional, and the Criminal Code contemplates and understands this type of situation.

Mr. Lawlor: Why can't he take it to the tribunal?

Hon. Mr. Clement: That is why in many instances a Crown attorney in any jurisdiction declines to undertake the prosecution on behalf of the Crown and private complaints are then undertaken by the complainant himself.

I read with interest within the last 24 hours where someone is undertaking a private complaint against the alleged murderer of his daughter.

Mr. Lawlor: But this is a cease-and-desist order. Why can't he appeal it? Why can't he appeal the director's refusal to do it in the tribunal?

Mr. Speaker: Order please. The hon. minister has the floor.

Hon. Mr. Clement: I suppose he could appeal the director's order and that could be reviewable by someone else in the meantime. Why doesn't he undertake the prosecution on his own through the civil courts?

So, I am not suggesting that we have all the answers—

Mr. Singer: It might wake up the Minister of Government Services.

Hon. Mr. Clement: —but I think that if you are going to have a programme under a statute carried out by responsible people, Mr. Speaker, then those people are the ones who have to account for the decisions made under the statute and not as a result of pressure or lobbying by an individual member of the public.

The member for Thunder Bay drew to the attention of the House and myself the fact that solicitors' accounts can be taxed and this wasn't generally known.

Mr. Lawlor: How about the class action?

Hon. Mr. Clement: He dealt with shortcomings in fair dealing. I should point out that the Act specifically deals with those matters that don't quite meet the Criminal Code test of fraud or deception, but fall short of that and are so frustrating to the members of the public. This is a code of ethics in essence, in reverse, as to those practices which will not be tolerated by the public. If they are so gross insofar as the public is concerned and amount to a fraudulent transaction, then obviously the matter should be prosecuted by the police authorities in that particular jurisdiction.

He dealt with unleaded gasoline and kerosene. I can offer no observations at this particular time. This is not a trade practices Act in the sense of compelling availability of a product in a certain area. It really is a code of ethics or a 10 commandments in reverse as to business practices which are not tolerated by the public of this province.

There was some reference made to section 17(2) of the Act as to why certain offences can be added by regulation and that this is an embarkation for the first time into this area. Sometimes we have practices drawn to our attention that occur while the House is not in session. To add offences when the House is in session means a delay of several months. We want the flexibility to be able to add by regulation a description of a practice that is not in the public interest, to be able to move against that type of person who is exploiting the public under that regulation, and come back to the House the next regular session, in effect—and I am paraphrasing—for approval of the regulation, so that it can be debated here where it should be debated. I will stand up and endorse that kind of proposition, but I don't want to come into this House after it has been adjourned for three or four months and be chided by the opposition for not moving in on something that we haven't got the legislation to deal with.

May I point out, Mr. Speaker, this is not the first time in the history of this province that type of legislation has been brought into existence. I refer the hon. members to section 102 of the Corporations Tax Act. Subsection (d) says that the Lieutenant Governor in Council may make regulations:

> —prescribing amendments to the provisions of Part III and to the provisions of Part II that relate to the allocation of taxable income and taxable paid-up capital between Ontario and any other jurisdictions, such amendments to remain effective only if enacted by the Legislature at the first regular session after such amendments have been prescribed.

I just point that out for the edification of the members of the House, because it was brought to my attention tonight. I am not trying to appear erudite. I wasn't aware of its existence until it was drawn to my attention an hour or two ago.

The member for Sudbury drew to our attention what he described as the big ham caper which was a pretty exciting recitation of things that happened to him in Sudbury this past summer. I would also point out to members of the House, in the event that it escapes them, that I immediately drew to his attention that it appeared to be an offence under the Food and Drug Act and that he should deal with the people in Ottawa. The rest of the recitation dealt with his dealings in Ottawa. I am sympathetic to him. I think he served his people well in drawing it to their attention, but I don't wish to accept responsibility for something that comes under legislation belonging to another jurisdition.

The member for Yorkview dealt with packaging. I understand the federal government is legislating on packaging and will be moving into unit pricing within the next two years. I commend this to the people of Ontario. I think it's a great thing. They have moved into that area of weights and measures which is a federal jurisdiction. I concur that it's a move in the right direction. But this Act has nothing to do with packaging or unit pricing. It has to do with fraudulent or misleading representations to the public or unconscionable transactions practised upon the public.

The member for York Centre made some comment about undercoating. I have to take umbrage with him. I received his file this week in this matter, although I had some correspondence in the past. He commented that the constituent whose situation he described didn't have the resources to initiate a legal action arising from an alleged undercoating of his new car. I found that somewhat contradictory. I just found that a little unusual that he was able to buy a new car but didn't have the resources to compel it.

Mr. W. Ferrier (Cochrane South): The lawyer is a pretty high priced man.

Hon. Mr. Clement: The hon. member for Windsor-Walkerville drew to my attention the question of foreign autos and dating of serial numbers or years of manufacture on the car. I point out to him if he finds this an offen-

sive practice, it will be covered in this legislation, Mr. Speaker.

The hon. member for Riverdale drew certain things to our attention. He dealt at some length with the Securities Act. May I point out that the Securities Act deals only with a particular form of investment in this business community? This Act deals, Mr. Speaker, with literally thousands of transactions and types of transactions.

In summary I'm going to say that this is umbrella-type legislation. I'll tell you what the alternatives are, Mr. Speaker. If we don't have this type of legislation, the alternatives are that for each industry we wish to monitor we will have to pass speific legislation dealing with that industry. We will have to set up an investigation staff, a director, secretary and resource people to monitor that particular industry.

We can stay here, Mr. Speaker, till the end of the evening and deal with all the different industries that now are specifically covered—the television repair industry, the dance industry, the computer dating industry and all these kinds of things.

This is a code of ethics. In effect, in reverse it says here are practices that are not in the best interests of the people of Ontario. Instead of having to monitor 100 per cent of any industry, of which probably 95 per cent to 97 per cent are honest, this will take the bad ones out of Ontario. The best thing that will happen to this province is, when we drive people out of this province, they will be that small three or four per cent that are either inept or dishonest.

Mr. Bullbrook: Is that the "big blue machine" the minister is talking about?

Hon. Mr. Clement: I say to you, Mr. Speaker, from a practical point of view in terms of dollars and cents this is the way we have to move with this type of legislation. Why monitor 100 people to catch really only three or four in any particular industry?

I have other things to say, Mr. Speaker, but I will reserve them until we get before the standing committee of the House. I think this should go before standing committee. We had some discussion earlier this evening about it.

Mr. R. F. Nixon: Good.

Hon. Mr. Clement: Certain other members have said that words like services and material facts—the hon. member for Riverdale made very specific reference—should be defined. Maybe they should; I don't know. That's why I would opt to go before the standing committee of this House so that those various people in industries can make a contribution at that particular time. Those are the only comments I have to offer at this particular time, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this will be referred to the appropriate standing committee.

Agreed.

Clerk of the House: The 34th order—

Mr. Singer: No, sir!

Mr. R. F. Nixon: No.

Mr. Singer: It's 10:30.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, that is quite in order as far as I am concerned. I think it should be noted that the hon. member for Downsview refused permission to conclude concurrences.

Mr. Singer: Exactly right. I only abide by the rules of the House. Let that be noted too.

Interjections by hon. members.

Hon. Mr. Winkler: Mr. Speaker, tomorrow we will proceed with the resumption of the budget debate as had been announced.

Mr. R. F. Nixon: The member for Downsview may address the House tomorrow, I think the minister should know.

Mr. Ferrier: Mr. Singer, QC.

Hon. Mr. Winkler: That's fine. I think that's as far as I need go this evening.

Mr. T. P. Reid (Rainy River): That's as far as he knows.

Hon. Mr. Winkler: No, not at all. I would give notice tonight that the first order for Monday will be item 33, Bill 155, the Algonquin Forestry Authority Act.

Mr. Singer: What happened to that concurrence?

Mr. Martel: What happened to the Ministry of Community and Social Services' bills?

Hon. Mr. Winkler: I will announce the balance of next week's business tomorrow.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock, p.m.

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Legislature of Ontario Debates

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, NOVEMBER 29, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions.

ACUPUNCTURE

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would like to ask the Minister of Health what action he is going to take about this acupuncture business, since he said last September that the acupuncture quacks were invading the province, and now there is evidence that they are here and apparently no action has been taken?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I have been trying to confirm the quotations in a Toronto paper today allegedly made by the College of Physicians and Surgeons. I believe it was the deputy registrar, Mr. Donald Aiken, who was said to say that I had asked him not to do anything. Now I don't know whether he said that to the press or not, but I can assure the hon. Leader of the Opposition that that is not the position of my ministry.

As a matter of fact, we have been doing our best to get the college to carry out the enrolment of those people whom they consider to be qualified to practice on reference by a physician.

Fair progress was being made in that direction in the sense that after some jurisdictional discussion as to whether it was our duty to do this or theirs, they have formed a committee and, I understand, have drawn up the necessary requirements for a lay acupuncturist before he can be acknowledged as capable to perform. They are at the point of getting these into action right now. I'm told, in fact, that the letter was on its way to me as of yesterday outlining these requirements.

So the college does have the right to prosecute anyone who is performing a medical act that is in any way illegal. Their statement that they didn't have the manpower to do this, if it's true, would bother me and I think it would bother the other members.

Mr. R. F. Nixon: A supplementary. The minister says that they can't do anything that is illegal. It's up to him and up to us to make it clear what is legal and what is not. Why not?

Hon. Mr. Miller: It is quite clear, Mr. Speaker, that in defining acupuncture as a medical act it is automatically illegal to be practised by any person not recognized by the College of Physicians and Surgeons.

Mr. R. F. Nixon: A supplementary: Since this minister's statement in September expressed concern about this, what is he doing about it?

Mr. I. Deans (Wentworth): That's a very good question.

Hon. Mr. Miller: It is a very good question.

Mr. R. F. Ruston (Essex-Kent): Now answer it.

Mr. Deans: How about a very good answer?

Hon. Mr. Miller: The fact is, Mr. Speaker, I have been pressing the college on a very regular basis to do what I understood their role to be, and that was, in fact, to recognize people to whom physicians could refer a patient. There was a division, as you know. Some physicians say no one but a physician should perform acupuncture. However, the college has not taken that position. They have to recognize the people who could perform it and they are in the process of doing it right now.

Mr. Speaker: Does the member for Wentworth have a question?

Mr. Deans: Why is it the college hasn't acted, prior to this time, in regard to the hygienic matters that were raised in the paper? What is it about the college that it's unable to establish some sort of standards for the clinic itself, aside from whether or not the reference was made to Dr. Kim—or Mr. Kim—by a physician or otherwise?

What is the minister doing to investigate that aspect of it? If he's operating in the Province of Ontario without the proper hygienic controls then why is it allowed?

Hon. Mr. Miller: Mr. Speaker, we get into the very fundamental argument each time these questions arise as to whether self-governing bodies are self-governing or not.

Mr. Deans: They are as long as they do the job.

Hon. Mr. Miller: I agree with the member completely. The implication here is that they only have that right if they do the job.

Mr. Deans: And they are not doing the job.

Hon. Mr. Miller: That would be my concern about the statement allegedly made by them today when they said they didn't have the manpower. I say they must have the manpower if they want the right to be self-governing.

Mr. Speaker: Are there any further questions? The Leader of the Opposition.

LAND PURCHASES IN HALDIMAND-NORFOLK

Mr. R. F. Nixon: Mr. Speaker, I would like to put a question to the Treasurer concerning his announcement yesterday about the new town policy and the acquisition of land in the Haldimand end of the region. What about the comment that has been made by the planning people in the area that it's downwind from Nanticoke and maybe is not the most beautiful pastoral setting beside the Grand River that ever was thought of?

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Sir, it is actually downwind of Lake Erie. When there are winds from the west-by-southwest—as we expressed it in the navy—it is still beyond the very large area set aside for industrial pollution minimization. In other words, when one looks at the "Threshold for Change" report one sees that this city site is well beyond that boundary line.

Mr. R. F. Nixon: A supplementary: Wouldn't it be prudent on the part of the chief planner for the province to consult with some of the local planners when a decision of this magnitude is made rather than just say it's possible we'll have a new town site and comment that they didn't seem very interested in it? Surely it's the responsibility of the chief planner to see that the planning function works at the local level, rather than simply having come from his own brow, full blown, the concept he enunciated yesterday.

Hon. Mr. White: In fairness, Mr. Speaker, this idea didn't leap full blown from my brow. This came from a very expensive and extensive study called "Threshold for Change." This is one of the city sites singled out and commented on as appropriate by those professionals. There was no way of consulting a large number of people in the area while protecting the interests of Mr. and Mrs. Ontario Taxpayer.

Mr. R. F. Nixon. Just one further supplementary. With specific reference to those properties, was it brought to the Treasurer's attention when he returned from his travels that some of those properties are being, I guess, leased back to the farmers, with the responsibility lying with the farmers to pay municipal taxes? They are going to have an extra burden, since the tax bills on the property came to the owner of the property, that's the Ontario government, and by the time they got back to the farmers—if they are, in fact, back at all—there is a penalty, I believe, of 1½ per cent per month. Has the Treasurer got the information on that? If there are penalties, is the Treasurer prepared to pay them on behalf of the people who work the property?

Hon. Mr. White: The Minister of Government Services is informed about this.

Mr. R. F. Nixon: A point of order. The question was raised two or three weeks ago with the Minister of Housing (Mr. Irvine) and it was directed to the Treasurer. Why don't we know about this?

Mr. Speaker: A question can be redirected to the appropriate minister, now if he wishes. Does the member wish an answer to this?

Hon. Mr. White: The Minister of Government Services has an answer for the member.

Mr. R. F. Nixon: Oh yes.

LAND PURCHASES IN HALDIMAND-NORFOLK

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, the tax bills for the land in the first acquisition, the Haldimand-Norfolk land that was purchased

last spring, I am advised arrived at our offices on Nov. 14, with a due date of Nov. 15.

Mr. R. F. Nixon: No.

Hon. Mr. Snow: But in any case, the decision has been made that the tax bills will be paid, and are in the process of being paid now by my ministry, if they have not already done so. As part of the leasing arrangement of leasing the land to the farmers, the taxes for the particular farm will be added to the lease arrangement and will be paid back to the government on that basis. But we are paying the taxes to the municipality in one block.

Mr. R. F. Nixon: Is the ministry paying a penalty?

Hon. Mr. Snow: I'm not sure of that at the moment; but, as I say, I was advised that the tax bills arrived—and we are not quite that quick to get them all paid in one day.

Mr. Speaker: Any further supplementaries.

Mr. D. M. Deacon (York Centre): Supplementary.

Mr. Speaker: One supplementary.

Mr. Deacon: Has the minister instructed his planners not to use any of the class 1 and class 2 agricultural land in any of the city developments along Lake Erie?

Hon. Mr. White: Sir, there is no class 1 land.

Mr. Deacon: Is there any class 2?

Hon. Mr. White: And while some proposals are marked class 2, I am assured by my distinguished colleague, the Minister of Agriculture and Food (Mr. Stewart), that it will be unwise to try to keep that heavy Haldimand clay in these two sites in perpetuity. There are half a dozen—

Mr. R. F. Nixon: There will be one—

Hon. Mr. White: Just a minute. My, the member is twitchy this morning, what's the matter?

Mr. R. F. Nixon: We are wondering what the Treasurer is doing with his tie there.

Mr. V. M. Singer (Downsview): Did it fall in the soup this morning?

Mr. D. C. MacDonald (York South): Are things a little foggy this morning?

Hon. Mr. White: No. The soils in the Cayuga site are heavy Haldimand clay.

Mr. R. F. Nixon: Some of the best alfalfa in Ontario.

Hon. Mr. White: I wondered at one time—and had a number of conversations with the Minister of Agriculture about whether we could single out good farm lands to be kept in food production in perpetuity, while increasing the density on the remaining lands; the supposition being that having the higher densities surrounded by growing crops would make the higher densities more tolerable.

The Minister of Agriculture and Food and his officials have studied these lands and say that there are no lands in that city site which are worth preserving in that fashion. There are some very good farm lands just to the northeast of Dunnville and, by putting population density into the Cayuga site, we will be able to preserve those very good farm lands northeast of Dunnville.

Insofar as the Jarvis site is concerned, there are half a dozen first class farms on the periphery which will be kept in food production in perpetuity by way of a green belt.

Mr. Speaker: Any further questions? The hon. Leader of the Opposition.

FIRE SAFETY ON LICENSED PREMISES

Mr. R. F. Nixon: I'd like to ask the minister in charge of the Liquor Licence Board if he is aware that his inspectors are responsible for fire safety in all licensed premises? Is he further aware that the inspectors are not required to inform the local fire departments, fire chiefs or fire inspection services, but keep these responsibilities for inspection and requiring improvements to be made entirely independent from local fire services? Does he believe that to be the way the operation should be working? Or does he agree with the resolution put forward by the city of Brantford complaining about this independence and the fact that there isn't this clear flow of information?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, yes, I am aware that some time ago, for purposes known at that time, under the Hotel Fire Safety Act, liquor licence inspectors were acting as agents, I presume on behalf of the fire marshal, to complete inspections in licensed premises. I personally believe in these instances it would be in the best interests of all if another agency completed

those inspections, be it the local fire department or be it inspectors from the fire marshal's office, because I find my liquor inspectors in the difficult position of perhaps checking into a room on the third floor that may well not comply with the requirements of the Hotel Fire Safety Act, and I really wonder what concern it has to my board for our interest in the licensed premises downstairs.

I don't want this construed as my saying we don't care if there is a fire trap upstairs; of course, we do. Where there are technical breaches of the Act in terms of rooms for accommodation on several floors up, I fail to see how that really ties in with the responsibilities imposed upon the Liquor Licence Board. I have made my views known. I think the Leader of the Opposition will find that there will be a change within a matter of days. I don't see that as the role of the liquor inspector.

Mr. R. F. Nixon: I agree. Supplementary: Might we expect these long-bruited amendments within a matter of days?

Hon. Mr. Clement: Mr. Speaker, I would like to see them within a matter of days. I can't give that undertaking because it is not my legislation. A meeting was conducted in my office earlier this morning with the chairman of the Liquor Licence Board, who is concerned about his inspectors being in this position and I hope to discuss it with my colleague, the Solicitor General (Mr. Kerr), within the next day or two.

Mr. R. F. Nixon: Supplementary: Would it be no part of the legislation dealing with the LLBO that has been mentioned by the minister and others so frequently?

Hon. Mr. Clement: No, it does not form part of that. I don't see it as our responsibility. There may be others who will argue with me on it, but I don't see that as the role of the liquor inspectors.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: No, Mr. Speaker.

Mr. F. Laughren (Nickel Belt): Supplementary.

Mr. Speaker: One supplementary then.

Mr. Laughren. In his discussions with Mr. Mackey this morning, did the minister discuss the possibility of delaying implementation of the regulations under Bill 146, I believe, which would put a lot of the student pubs in the province out of commission?

Mr. Speaker: Order, please, that has no relation to the question that was asked originally.

Mr. Laughren: Well, he talked to Mr. Mackey.

Mr. Speaker: The hon. member for Wentworth.

STUDENT PUBS

Mr. Deans: Since my colleague has asked the question, let me put the same question to the minister. What is wrong with Mackey that he does this? Does the minister realize the tremendous cost that will be involved, not to talk about the fact that one pub, say at the University of Toronto, wouldn't be sufficient to meet the needs and that it will just simply be pushing people out into the streets and perhaps even causing problems?

Hon. Mr. Clement: I'd like to make a comment on that, if I might, Mr. Speaker. A year ago last June this House, under Bill 146, provided for the establishment of canteens on university campuses and/or community colleges. Many of these institutions, for one reason or another, have not seen fit to make application to have premises licensed as canteens under that legislation. Some of these operations are conducted five and six nights per week.

The Liquor Licence Board has encouraged these institutions and the operators of the student pubs to make application. It is much cheaper. There are many advantages to them. If they have six special occasion permits a week, it costs them $90. They can have an annual licence for $10. It saves paper handling down here. When there is a postal strike and these applications are held up in the mail, great difficulty and inconvenience arise to all parties.

A student publication very learnedly pointed out in an article I read some two or three weeks ago that there will only be one per campus. I think there are 11 now at Carleton and I don't know how many at the University of Toronto. It said, "Don't blame Mr. Mackey, the chairman of the board; blame Clement, because he directed Mackey to do this."

Mr. R. F. Nixon: Very wise.

Mr. Deans: They know who to blame.

Hon. Mr. Clement: But it's very contradictory, and I told some students this at a

university two weeks ago. Nobody has ever spoken to me about it, and no one has ever spoken to the chairman about it. Whereupon it came to my attention that a certain group of students were given a small grant by a cheque to come down to see us. They cashed the cheque but never came near us. They reported back, "We can't do anything with those guys in Toronto."

Mr. Deans: They must have been Tories.

Mr. Ruston: They never got out of the pub.

Hon. Mr. Clement: No, the intention of the legislation—my gosh, I introduced it myself; why would I tell them not to issue licences? —the intention of the legislation is to assist. I don't think it's a big issue. We are going to invite those who seem to have difficulty in understanding it to meet with us next week in an effort to accommodate them.

Mr. Deans: At whose expense?

Mr. E. W. Martel (Sudbury East): Send them a voucher.

Hon. Mr. Clement: I don't know how they'll handle the voucher for the trip this time, but I'll leave that up to their very fertile imaginations.

Mr. Speaker: Any further questions? A supplementary?

Mr. R. F. Nixon: A supplementary: I'd like to ask the minister when he is going to bring in the general legislation that will deal with these matters. He has been talking about it for quite a while. What is holding that up?

Hon. Mr. Clement: It will be brought in this session, Mr. Speaker.

Mr. R. F. Nixon: We can deal with it the week before Christmas.

An hon. member: A very appropriate time.

Mr. Speaker: A supplementary; the member for Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): At the risk of having it said that there is a conflict of interest—and the minister knows my views on this matter; I've talked to him privately about it—it doesn't affect me, but I want to tell him, sir, that he is ruining the hotel industry in the Province of Ontario—

Mr. Speaker: Order, please. The original question—

Mr. G. Nixon (Dovercourt): What is the question?

Mr. Sargent: —by the proliferation of these licences to colleges and universities.

Mr. Speaker: Order, please. Does the member have a question?

Mr. Sargent: That's it.

Mr. MacDonald: The question is, is the minister ruining the hotel industry?

Mr. Speaker: A final supplementary. The member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Can the minister assure us that there is no problem in the legislation with the licensing of the pubs on student campuses where the student council has been running it and it is an incorporated entity, that in fact the licence can go to them rather than requiring that they go through or to a university administration official?

Mr. Laughren: Good question.

Hon. Mr. Clement: Mr. Speaker, I would direct the hon. member's attention to the specific legislation which says that the application must be completed by the administrator of the institution or his delegated authority. The rationale when that was incorporated in the Act a year ago June was that in the main these are publicly supported and financed institutions; and since individual students come and go and there are personnel changes within that group, there is less likely to have that kind of transient turnover with an administrator of the institution. Where the difficulty has arisen, I think, is that the student groups and/or the institutions have felt that if the administrator applies for it, then the operation of it should be vested in the administrator or his delegated authority and the profits, if any, generated from the operation should remain with the institution.

I want to put myself on record here, right now, as saying that I am not concerned, nor is the board, as to the operation of it insofar as who does it. We want somebody to whom we can look who is reasonable, namely the administrator or his delegated authority; and insofar as any profits are concerned, that is none of my business.

That, I think, is the nub of the difficulty that has kept a lot of student groups from going forward on this basis and being licensed in these particular establishments. As I said earlier, the legislation is there to help them, to get rid of the paper work—and it will help them financially too.

Mr. Speaker: Does the member for Wentworth have any further questions?

Mr. C. J. S. Apps (Kingston and the Islands): A supplementary.

Mr. Speaker: I said the last supplementary was the final supplementary. You can ask a question in just a moment.

Mr. Apps: May I ask a question?

Mr. Speaker: Order, please. We are not finished over here yet. We'll get to the hon. member in a moment.

The member for Wentworth has a new question?

ADVERTISING TO LOW-INCOME GROUPS

Mr. Deans: Mr. Speaker, I would like to ask the Minister of Consumer and Commercial Relations a question in regard to advertising. Does the minister think it appropriate that firms should direct their advertising to persons in the following way: "On mothers' allowance?—New on the job?—In Ontario Housing?—Have been refused by any other rent-or-own company before?" Does he think that that kind of advertising is useful in the Province of Ontario, or does he think that maybe some action could be taken to have companies stop directing advertising to low income groups in that way?

Hon. Mr. Clement: Mr. Speaker, I haven't seen the ad to which the hon. member refers. It might be that it pertains to a particular service or a particular product that might appeal to someone in a particular economic or social group, so I really have no comment to offer. Perhaps I might read it and comment to the member after the House rises later today.

LOTTERY FOR HAMILTON H.O.M.E. LOTS

Mr. Deans: I only want to ask one further question. Can I ask the Minister of Housing whether he has completed his inquiries into the recently-run lottery in the Hamilton area?

Hon. D. R. Irvine (Minister of Housing): I am sorry, I didn't hear the question.

Mr. Deans: Has the minister completed his inquiries into the recently-run lottery in the Hamilton area?

Hon. Mr. Irvine: No, Mr. Speaker, I have not. I have undertaken with the hon. member to investigate this more fully and to consider his suggestion that we might have a standing committee to consider it.

Mr. Deans: Might I ask, by way of a supplementary question, whether the minister would be prepared to make available the list of people whose names were drawn and the master list of all of the names that were drawn, over and above those that did in fact qualify?

Hon. Mr. Irvine: Yes, Mr. Speaker, if that list is available, I would be happy to provide it.

Mr. Speaker: Any further questions? The member for Kingston and the Islands with his question.

STUDENT PUBS

Mr. Apps: Mr. Speaker, I would like to ask the Minister of Consumer and Commercial Relations, will the colleges or universities where it is not practical to have licensed facilities still be able to get special occasion permits for some of their functions?

Hon. Mr. Clement: I would think so, Mr. Speaker. The legislation, referred to as Bill 146 in 1973, as I interpret it is not mandatory. This is not the only avenue open. In those outlets on campus that are being run rather regularly, I would think, for a number of reasons I touched on earlier, it is in their best interests. I would encourage them to do it just to save the paperwork and inconvenience; because I can tell the members that when we had a recent mail strike a number of these applications were delayed in the mail and I can tell you who got the calls about them, Mr. Speaker, and I would just as soon not bother the next time around. So I don't look at the legislation as being mandatory. Is is there to assist and for the convenience of the people.

Mr. Speaker: The member for Sarnia.

DENIAL OF HOSPITAL PRIVILEGES

Mr. J. E. Bullbrook (Sarnia): Mr. Speaker, I have a question I would like to direct to the Minister of Health. Is the minister concerned at all with the rights and privileges of Dr. William Manax, characterized in the Toronto Star yesterday as "a renowned transplant surgeon," who has been denied

privileges at Victoria Hospital in London, and who stated this morning on CBC that as a result of lacking an FRCS fellowship he is now going to have to return to the United States?

Hon. Mr. Miller: Yes, Mr. Speaker, I am concerned and I took the time yesterday to learn a fair amount about the situation. I find it difficult to discuss an individual's qualifications, or lack of qualifications, lest the information given to me be incorrect. However, it is the duty of a hospital board and its medical advisory committee to ensure that a person being admitted to practice as a specialist meets their requirements and, assuming that he meets their requirements on a technical basis, that in fact they also have a need for that person within their organization. I understand the hospital board has made a decision in the negative. This gentleman does have the right to appeal that decision to the hospital appeal board.

Mr. Bullbrook: Recognizing that the doctor himself has said that the matter would likely end up in the Supreme Court of Canada if he took that viewpoint—the same situation which obtained in the case of our friend Dr. Schiller, if the minister will recall—premising that there are surgeons permitted to practice such surgery in London without an FRCS certificate, and recognizing that there is a type of operation named after this man, doesn't the minister think it would serve the public of not only London but Ontario and perhaps Canada, to have him remain and provide his services to our people?

Hon. Mr. Miller: Mr. Speaker, it's easy to generalize like that and yet—

Mr. Deacon: Generalize?

Hon. Mr. Miller: —of all the members in this House, the member for Sarnia is one who has the greatest respect for law. I have heard him talk on this basis a number of times while I have been here and I have always respected that point of view.

Mr. Deans: Does that mean there are some with less respect?

Hon. Mr. Miller: Well, I don't want to throw any bouquets the wrong way.

Mr. Speaker: Order, please. Keep to the question please.

Hon. Mr. Miller: The fact remains that if the member could suggest to me how we could give both parties to a dispute the opportunity to have a decision reviewed and to speed the processes up any faster, I would be delighted to find ways of making it easier and faster for the due process to be effected. We have three steps in the process right now, as members know. The first is the hospital appeal board and the next two, unfortunately, are the courts.

Mr. Bullbrook: The minister knows what happened to Dr. Schiller.

Hon. Mr. Miller: I know what happened to Dr. Schiller. Dr. Schiller had one decision made by the hospital appeal board and a reverse decision made by the courts. Does that imply the system is wrong?

Mr. Bullbrook: No, it doesn't.

Hon. Mr. Miller: That's what I'm trying to say. If the member can suggest to me how we can have a system that ensures either party fair play, that cuts out any of those steps and still protects a person in law, I'm delighted to look at them.

Mr. Bullbrook: One final supplementary, if I may: Recognizing the integrity of purpose on the part of the minister and without interfering in the due process, could the minister possibly concern himself personally in this matter, having regard to the qualifications of this man?

Hon. Mr. Miller: I've already made certain inquiries into those qualifications. I want to make sure the information I have is correct.

Mr. Speaker: The hon. member for Sandwich-Riverside.

CARBON MONOXIDE LEVELS

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Health. Inasmuch as the permissible level for carbon monoxide in places of work is 50 parts per million in Ontario and in the United States the occupational safety and health administration is proposing a standard of 35 parts per million, will the minister consider reducing the level in Ontario?

Hon. Mr. Miller: Mr. Speaker, I am very willing to review the levels in Ontario in the event that the level in the States is more meaningful. The problem the member is speaking of is one that we constantly face, as he knows, in occupational health hazards. Arbitrary criteria are set in the hope that they're adequate. Experience shows they either are or are not. If the United States

experience indicates it is correct in reducing it, I would be pleased to see us follow suit.

Mr. Speaker: The hon. member for Peel South.

CABLE TELEVISION RATES

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I have a question of the Minister of Transportation and Communications. I would like to ask the minister the present status of the CRTC hearings with respect to cable television. I know that a brief went forward from his ministry, but was there a verbal presentation? I would also like to know if we are having approval of one flat rate in all cable TV areas and what the status is with respect to this added facility that goes with the converter. What is the present situation?

Hon. J. R. Rhodes. (Minister of Transportion and Communications): Mr. Speaker, I believe the hon. member is referring to the recent CRTC hearings that were held here in Toronto, on Nov. 25. This dealt with applications made by a number of cable companies for increased rates. That is the regular procedure. I cannot tell him what the status is. The CRTC have held their hearings and they will in their good time eventually make their findings known.

The other part of the member's question I think was dealing with one of the applications which was to require all customers of the particular applicant to have a converter attached to their sets, that it would be a requirement and they would not have an alternative. If they had the service, they would require this converter, which was going to result in a considerable increase in the monthly rate. The province through myself and my ministry made a representation to the CRTC objecting to this. Although this was received, I cannot tell the member what the decision was. At this time, they have not made any decision on the hearing.

Mr. Kennedy: A supplementary, Mr. Speaker, if I could: So we're interested in protecting the consumer with respect to the converter. What about the rate increases? I read in the paper that they were to go to $8. Are there going to be representations in that respect?

Mr. R. F. Nixon: That's right; keep at it.

Hon. Mr. Rhodes: Mr. Speaker, that $8 fee was the one that related to the company that made application to have the converter as a part of the overall basic service. This is the one we objected to most strenuously. We did enter an objection on the general increases that were being requested, but primarily on that particular case.

If I can take a moment of the time, Mr. Speaker, I would simply say that what is occurring here is one applicant was saying that the basic 12 channels now received by his customers were going to be increased by the addition of this converter box on the set, and that the customer who had a contract for the basic service was going to be forced to have this converter on his set or he would have a blank screen. We objected to this, saying that the decision as to whether or not to accept this increased service and increased fee should be a decision made by the customer. In particular, where the company has a monopoly situation they should not be able to go in and make this arbitrary decision as to what service their customers would get.

Mr. Kennedy: Mr. Speaker—

Mr. Speaker: Order, please. Our time is running short and I think we have had enough supplementaries on this.

Mr. R. F. Nixon: I think the hon. member should be heard.

Mr. Speaker: The hon. member for Huron.

CEMA PROGRAMME

Mr. J. Riddell (Huron): Thank you, Mr. Speaker. A question of the Minister of Agriculture and Food: Owing to the fact that there has been very little publicity given to the outcome of the meeting of the provincial Ministry of Agriculture and the federal Minister of Agriculture regarding the CEMA programme, I am wondering if the minister would comment on any proposals that were made and endorsed by the minister regarding the structure of the agency, the pricing policy across provincial boundaries, and the allocation and policing of quotas.

Hon. W. A. Stewart (Minister of Agriculture and Food): Yes, I would be very glad to, Mr. Speaker. Do you want me to do that in answer to a question or would you prefer to let me make a comment before the orders of the day?

Mr. Speaker: If it is fairly lengthy I would suggest before the orders of the day.

Hon. Mr. Stewart: I have no hesitancy about doing it but I think it would take a little bit of time now. I will be guided by your advice.

Mr. Speaker: I think that would be the better action.

The member for Sudbury.

GOVERNMENT USE OF TRAVEL AGENCY

Mr. M. C. Germa (Sudbury): Mr. Speaker, a question of the Treasurer. When people in his ministry are called upon to travel, why is it insisted upon that their travel arrangements be made with a particular designated travel agency, and was this agency selected by tender?

Hon. Mr. White: I don't know about that, sir. The arrangements were made before I came along, but I will be glad to get the answer. I do know that when I was the Minister of Industry and Tourism we were using a half a dozen agencies. The amount of business was not very large, the service we got was not very good, and so we did have a selection process and we did select one or two of those agencies.

Mr. Sargent: A division of Gulf Canada.

Hon. Mr. White: If there is any suggestion that the present agency for my ministry has been given some kind of preference, I can assure this House that isn't so.

Mr. Germa: A supplementary, Mr. Speaker?

Mr. Speaker: One supplementary.

Mr. Germa: In cases where large groups travel, such as to the PMLC meeting in Sudbury recently, is the minister not aware that if he booked direct through Air Canada, rather than going through the booking agent, he would get a discount to the Province of Ontario?

Hon. Mr. White: No, I am not aware of that. I am perfectly sure that we are getting the best prices that are going.

Mr. Speaker: The Ministry of Housing has an answer to a question.

OHC LAND PURCHASES IN OTTAWA AREA

Hon. Mr. Irvine: Mr. Speaker, the member for Ottawa East (Mr. Roy) asked me on Nov. 26 the following question:

> Would the minister give the House the information pertaining to a number of transactions by Ontario Housing in the Ottawa area, more specifically a purchase of 1.3 acres on Donald St. by Thomas Assaly Corp. Ltd., purchased in July for $105,000 and then sold in March, eight months later, for $273,000 to Ontario Housing? Would the minister advise why a similar 1.3 acres in Vanier, called the Green Valley Lumber, on Montreal Rd., was then purchased for half a million dollars, which is approximately twice the price the city of Vanier is paying for land in that area?

A similar question was asked by the member for Carleton East (Mr. P. Taylor). I would like to reply to both questions at this particular time.

At the outset I should say that the site referred to on Donald St. was not purchased as an individual property, but rather as part of a total development package which included the construction of 241 senior-citizen units. The project, which has recently been completed, was one of 26 proposals submitted to the Ontario Housing Corp. in response to a public competitive call for proposals which closed in December, 1971. Under the call-for-proposal method of development, which was in effect at that time but has since been replaced by the tender call approach, proposals were invited from builders for the development of projects based on their designs and often on their sites. Under this old technique, the prime consideration was the total price offered rather than the separate and individual values of the land and building. It was the total package price that counted.

The proposals which were received in response to this call were reviewed by OHC in consultation with representatives of the city of Ottawa, the local housing authority and Central Mortgage and Housing Corp. in terms of price, design and the suitability of the locations of the sites offered. The prices of the proposals submitted ranged from $10,535 to $14,283 a unit, including the land. The one on Donald St. which was submitted by Assaly under the name of LLK Construction Ltd., was offered at a price of $10,950, including land at $1,140. In accordance with OHC practice, its senior appraiser evaluated the proposal. His estimate of value, which I am tabling today, indicates that Assaly's package price for land and buildings, in comparison to other submissions, represents good value. His assessment of the value of the land at $1,100 is approximately

equivalent to the $1,140 land component put forward by Assaly.

Mr. Sargent: Why doesn't the minister produce the files so we can judge it; and not have to take his word for it?

Hon. Mr. Irvine: As in the case of other proposals submitted, modifications in design were required. In the case of the Donald St. project it was necessary for Assaly to—

Mr. Sargent: Keep the lid on. That's all the minister has got to do; keep the lid on.

Hon. Mr. Irvine: —reduce the number of units from 251 to 241 and to negotiate with the owners of adjoining lands to provide access to Donald St., as well as to acquire additional land for a vehicular turning circle to meet the planning requirements of the city.

Following the resolution of these planning requirements and other necessary changes to the design, an increase in price from $10,950 to $11,650 was granted in October, 1972, to reflect the changes made.

I would like to point out that this increase related to the cost of the building only, and was supported by the senior appraiser's evaluation. The cost of the land remained the same. I should also add that the revised price has remained firm throughout the entire two years of the construction period, a period of rapidly increasing construction costs, not only in Ottawa but all over Ontario. I say again, Mr. Speaker, the land price remained constant even though additional land was added.

On the question of the cost of the Donald St. site, Mr. Speaker, it is my understanding that Assaly optioned the property in the fall of 1971. This was the time Assaly's purchase price was established. It was not until March, 1973, about 1½ years later, that the site was conveyed to OHC.

Mr. Singer: When did they agree to buy it?

Hon. Mr. Irvine: In summary, I would say that the project submitted by Assaly Corp. was a highly competitive one. There were five contracts awarded under this call for proposals for about 1,100 units; at unit prices, including land, ranging from $11,500 to $12,300. Assaly's per unit price was $11,650. As you can see, Mr. Speaker, this compares very favourably in that it was the second lowest contract price. Further, it was accepted by CMHC, which carries out its own appraisals before extending federal financing.

Turning to the acquisition of the former Green Valley Lumber property in Vanier, the price paid was $510,000. Initially the vendor, whose family owned the property for about 48 years, asked a price of $625,000. This was reduced to $510,000 after lengthy negotiations.

I am very pleased to say that the agreed price was substantially less than the value determined at that time by F. Lavoie, of Titley Inc., and F. Petry, two local, independent appraisers with the accreditation of the Appraisal Institute of Canada and an intimate knowledge of market conditions in the Ottawa-Vanier area. Both of these professionals valued the property at $560,000. Ontario Housing Corp.'s senior appraiser, who has similar accreditation, valued the property in the range of $478,800 to $532,000.

Mr. Speaker, I want to point out that the appraised values were determined in accordance with the present commercial zoning of the site. During the period of negotiations OHC staff, as well as one of the independent appraisers, discussed the prospects of changing the zoning to residential use. It was clear from these discussions that the municipality would support such a change.

There has been the suggestion that Ontario Housing Corp. paid twice as much for this property as the city of Vanier is paying for sites in the area. One of the sites referred to may be a property purchased by the regional municipality of Ottawa-Carleton for the proposed Vanier arterial route. While this property was acquired at a substantially lower price, Mr. Speaker, we must be very mindful of the varying factors affecting value. I understand that the site for the arterial route is located in an industrial-commercial area—

Mr. P. Taylor (Carleton East): Mr. Speaker, on a point of privilege.

Mr. Speaker: Order, please. A matter of privilege.

Mr. P. Taylor: Mr. Speaker, I have to take the strongest objection to this practice by the ministry, on behalf of myself and the member for Ottawa East who posed the original questions in connection with this issue. The minister has had this information for some time. He comes into the House and takes up to six minutes of the time for the question period—

Mr. Speaker: Mr. Speaker will look after the length of the answer.

Mr. P. Taylor: —and he expects us to be shorthand experts to take down all these statistics and information and to respond in

kind, and we all know that the rules of this House do not provide us with an opportunity to respond in kind.

Hon. G. A. Kerr (Solicitor General): Read Hansard. Give him a course—

Mr. Sargent: The minister knows he is right. That's why.

Mr. Ruston: It shows how bright they are.

Mr. Speaker: Order, please.

Mr. W. Hodgson (York North): He'd better go back to Ottawa.

Interjections by hon. members.

Mr. Speaker: Order, please. Two comments. No. 1: With an answer of that length, I suggest that the minister or any minister should read it before the orders of the day during statements by the ministry.

Mr. Ruston: It shows how bright they are.

Mr. Speaker: No. 2 is that the information will be on record for anyone to study. If the minister will continue, I'll see how much time we will add to the question period.

Hon. Mr. Kerr: It will be ready this afternoon.

Hon. Mr. Irvine: Mr. Speaker—

Mr. P. Taylor: Mr. Speaker—

Mr. Speaker: Yes?

Mr. P. Taylor: The point you have made just now, sir, is that the information the minister is reading into the record now will be on the record for later study. The point that is at issue here, sir, is that the minister is making a statement to which, because of its nature, it is virtually impossible for us to respond now and in kind. He had that information at least an hour ago; he could have sent us a copy of it before he made the statement in the House.

An hon. member: Right.

Mr. Speaker: Mr. Speaker can't control that. But certainly there will be an opportunity at a later time to ask whatever questions seem to arise from this.

Mr. Sargent: It is all a big put-up.

Mr. Bullbrook: He is definitely the next Speaker of the Parliament; we are looking to him.

Mr. J. Root (Wellington-Dufferin): The member for Sarnia should run himself.

Mr. Speaker: Is there a further question?

Hon. Mr. Irvine: Mr. Speaker, if I could carry on with the answer, there are only a few more sentences.

I understand that the site for the arterial route is located in an industrial-commercial area, two blocks north of Montreal Rd. The Green Valley Lumber property is located on Montreal Rd. and therefore has a significantly greater value. I might add that one of the independent appraisers was aware of the price paid by the municipality and took this and other sale transactions into account in arriving at his evaluation.

Mr. Speaker, I'll be happy to do as you suggested, if I have lengthy answers in the future, and make them as statements to the House. But the members must remember that they asked me to reply as quickly as possible. I was not in the House yesterday. This morning was my first chance to answer. If this is the practice you wish to continue with, fair enough.

Mr. Speaker: There will be six minutes added to the question period.

The member for Waterloo North.

NOISE REGULATIONS

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. I have a question of the Minister of the Environment. Recognizing his avowed promise to release his model noise bylaw by the end of November, and since this is the last sitting day of the Legislature before the end of November, I presume we are going to have an announcement on it today. Will the minister be making an announcement today?

The second part of my question is, is the minister still determined to scuttle his original plans of having provincial noise regulations in effect all across the province and policed by this ministry?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, in regard to the noise bylaw, I did indicate in the estimates it would be ready by the end of November. I understand that the model bylaw we are talking about will be ready by Nov. 30—

Mr. Good: Today is Nov. 30.

Hon. W. Newman: No, it is not Nov. 30. As a matter of fact, I've asked for it to be on my desk today. I anticipate that I will probably table the noise bylaw and make a statement on it early next week.

As for the member's second point, yes, I did say in my estimates, and I continue to say, that we do have staff in the ministry still doing testing in some of the areas dealing with some of the noise problems in this province, but we will not be going out on a province-wide basis with staff to do testing and enforcement work at this point in time. We will be using the staff we have now to do the job by offering technical assistance to the municipalities throughout this province on their noise bylaws; and as the member knows, some of them want different things in their noise bylaws, depending on whether they are in a rural area or maybe in Metropolitan Toronto. We will be offering technical assistance on those bylaws.

Mr. Good: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Good: Why is the minister not producing regulations under the Environmental Protection Act which have been promised for three years in the matter of noise and now sloughing it off to the municipalities to do as they see fit? The ministry has been promising them for three years.

Hon. W. Newman: Mr. Speaker, the member is not very consistent. We are saying now, in effect, that we are letting the municipalities do it. We are offering them technical assistance. The member is always saying we are taking things away from the municipalities. This time we are giving it back to them.

Mr. Good: Oh come on! The minister has had the authority for three years under the Act.

Hon. W. Newman: Let the member get his mind clear on exactly what he wants.

Mr. Sargent: What is the minister doing now?

Mr. Speaker: The hon. member for Windsor West.

PUBLIC HEALTH NURSES' SALARIES

Mr. Bounsall: A question of the Minister of Health, Mr. Speaker: What further things is he doing now, perhaps in concert with the Minister of Labour (Mr. MacBeth) to ease the situation or have the situation resolved between the public health nurses and the medical officers of health in their dispute over salary since the time—I think it was last summer—when he indicated to the medical officers of health that the province would be making funds available for salary increases and asking them to submit new budgets in detail if the salary increases required such and so on? The situation still continues in which the medical officers of health have refused to give those salary increases to the public health nurses. What advice would the minister have for the nurses in this situation, and what is he doing about it?

Hon. Mr. Miller: Mr. Speaker, with great respect to the only other chemical engineer in the House, may I point out that we can't have it both ways. We can't have local boards with authority and the province overruling them all the time.

In this case, the local boards of health are partly financed by the government and partly financed by the municipalities they serve. This is unlike the hospitals where the entire budget comes from my ministry. We told the boards of health the point to which we would share in the costs of increased nursing salaries on our 75, 50 or 25 per cent basis, whichever it might be. They have the decision to make, as employers do, whether they would pass along the full maximum increase that we would share in, or more or less. All those options are open to them.

Almost unanimously, the boards of health have not passed the full increase on; which points out an interesting thing, that where health costs are shared at the municipal level a great deal of thought is given to increases before they are granted.

Mr. Bounsall: Supplementary, Mr. Speaker, on this point.

Mr. Speaker: A final supplementary.

Mr. Bounsall: Would the ministry be willing to give its share, the 75 per cent or the 50 per cent of the maximum offer, even if the municipality would not give its share of that maximum offer?

Hon. Mr. Miller: No, Mr. Speaker.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM ACT

Hon. Mr. White moves first reading of bill intituled, An Act to amend the Ontario Municipal Employees Retirement System Act.

Motion agreed to; first reading of the bill.

Hon. Mr. White: Mr. Speaker, this bill carries out a commitment which I made in my 1974 budget that "in 1975 up to 20 per cent of OMERS net receipts be made available to the system for wider investment opportunities;" and that "this percentage will be increased from year to year as investment experience is developed by the OMERS' organization."

Beginning in 1975, OMERS will retain and invest an agreed-upon portion of its funds for investment in a wider range of securities to the limitations of the Pension Benefits Act. The amount will be as agreed upon by the Treasurer and the board of OMERS and it will be confirmed by the Lieutenant Governor in Council.

The bill allows the board to appoint a committee composed of members of the board of OMERS, officers of OMERS and persons with senior investment or other financial management experience, and delegates to it the power to invest. The committee may assign such duties as it decides to an officer or officers.

May I add, Mr. Speaker, that the principles of the bill reflect the wishes of the board of the Ontario municipal employees' retirement system and of the board's investment advisors.

Mr. Riddell: On a point of order, Mr. Speaker.

Mr. Speaker: Order please. A point of order?

Mr. Riddell: I believe you agreed, Mr. Speaker to permit the Minister of Agriculture and Food to answer my question before the orders of the day.

Mr. Speaker: What question was that?

Mr. Riddell: A question that I posed earlier. You agreed to permit an answer before the orders of the day. Did you not?

Mr. Speaker: That is not my understanding. The minister indicated he'd have a lengthy answer and it was suggested by himself, and concurred in by myself, that he might better present it as a statement before the orders.

Mr. Riddell: All right.

ST. ANDREW'S DAY

Mr. Deans: Mr. Speaker, I wonder if I could bring to your attention a matter of extreme importance to a great many people. Tomorrow being Nov. 30, happens to be St. Andrew's Day.

Mr. Speaker: I am sure we all recognize St. Andrew.

Mr. Deans: You are lucky, because the member for St. Andrew-St. Patrick (Mr. Grossman) isn't here.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before the orders of the day, I'd like to table the answer to question No. 4 standing on the order paper.

(See Appendix Page 5905.)

Mr. Speaker: Orders of the day.

Clerk of the House: The second order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: The member for Huron-Bruce may continue his remarks.

Mr. M. Gaunt (Huron-Bruce): Grey-Bruce.

Mr. Speaker: Sorry; Grey-Bruce.

Mr. E. Sargent (Grey-Bruce): Mr. Speaker, in finalizing my remarks on the budget, I am interested to see the approach of the Premier (Mr. Davis) to inflation. He says that this government is going to do a lot of belt tightening. Well, I guess with the junket to Italy that cost probably a million dollars—

Mr. R. G. Hodgson (Victoria-Haliburton): The member's vote against Stanfield did it; it shows us where he stands on that issue.

Mr. Sargent: I am sorry?

Mr. I. Deans (Wentworth): How about that first question?

Mr. R. G. Hodgson: The member for Grey-Bruce told us where he stands on that issue; he voted for Trudeau.

Mr. Sargent: For what?

Mr. Speaker: Order please. Will the member just continue his remarks?

Mr. R. F. Nixon (Leader of the Opposition): Didn't the member for Victoria-Haliburton vote for Trudeau? I thought everybody did.

Mr. Sargent: I would suggest that a junket to Italy for one million dollars is not belt tightening. It was an ego trip to gain votes for the next election—

Mr. C. E. McIlveen (Oshawa): That is all right; Trudeau sends his wife.

Mr. Sargent: And now we are going to have one go to Israel. They now have a WIN programme in the United States. Everybody wears buttons that say "Whip Inflation Now." But everybody on the "blue side" over there could wear buttons saying, "Win Italy Now; Win Israel Now." These are the things that they are using taxpayers' funds for—in blatant spending to get election votes.

I don't know whether this story is true or not but—

Mr. R. G. Hodgson: Trudeau sends his people on booze money.

Mr. Sargent: I can't prove that; but if the member is going on record, I guess he knows what he is talking about.

So the story is out now that when Mr. Davis arrived in Italy the press met him at the plane and—

Mr. Speaker: Order please. We don't refer to any member by his proper name.

Mr. Sargent: The Premier of the province arrived in Italy and the press met him at the plane. They said to him, "What do you think of the prostitutes in Italy?"' And the Premier said: "Are there prostitutes in Italy?" And the next day the reports in the papers said the first question the Premier asked was, "Are there prostitutes in Italy?" I don't know whether that is true or not—the Premier can confirm that or not.

Mr. Speaker, I want to get on with the—

Mr. G. Nixon (Dovercourt): On with what?

Mr. Sargent: —situation in Ontario Housing Corp.

The news last night said former vice-president Agnew is making $100,000 in the US as a broker; and two of his underlings went to jail for a year and a half. Here in the OHC we have 25 people charged with accepting bribes in contracts amounting to millions of dollars; but the real criminals in this whole piece are the givers of the bribes.

An hon. member: Right.

Mr. Sargent: And they are allowed to go scot-free. And still, as recently as last week, OHC is doing business with these firms who are giving bribes. The name of Delzotto has been listed in the paper as being a giver of bribes. He is one of the criminals involved. But the following week the story comes out that Delzotto has received another big government contract. So this illustrates the way this big pork barrel operates.

Regarding the Saltfleet development, I want to make this very clear. The minister says on page 5193 of Hansard, No. 121, that the appraisal report from Stewart, Young and Mason indicated "in my opinion, as of Sept. 30, 1967, the market value of the property" is $3.3 million. Mr. Murchison, who was then the chief land acquisition man for the OHC opposed the awarding of the contract for $6 million to Jon-Enco.

Jon-Enco is a firm that has gone out of business. They are broke. In fact, I don't know if they are broke. They couldn't be broke with the profit they made but they are out of business anyway. They went broke with a full pocket. He objected strongly to the payment of $6 million to these people, an overpayment of $3 million.

Eventually, Mr. Murchison resigned and went on to become the vice-president of Y & R Properties. I asked him several days ago: "Mr. Murchison, how do you account for the overpayment of $3 million, in view of the fact that you recommended against it, and the appraisal people recommended against it but this still went through for a bill of sale for $6 million which we have in our files?" And he said: "All I can put it down to is"—and get this—"political pressure."

In other words, political pressure cost the taxpayers of this province $3 million. That's on the record. Is there any doubt that we have a need for a full-scale inquiry into this scandalous, corrupt operation here?

We have people coming into this province penniless and in five years they are multi-millionaires because they are in the know with people who have access to an "in" with the Ontario Housing Corp. One man I knew was broke six years ago in the west. He is a multi-millionaire now. He says, "Now I own 1,500 doors." In their parlance, that is 1,500 apartments, money being supplied by the Ontario Housing Corp. There is little doubt, Mr. Speaker, if we could have the files

that the minister refuses to provide, we could very clearly cause the biggest scandal that would make the Watergate look like peanuts.

A while back, Mr. Speaker, David Lewis talked about corporate ripoffs. A lot of things he said needed to be said. I am sorry that that man is not in government today or in politics today, because he is part of the public conscience. I say the same thing for the member for High Park (Mr. Shulman).

I would like to say a few things now before I sit down about the government ripoff, not corporate ripoff, a ripoff that the government went along with. I recall when we had the oil shortage, there was no shortage of oil. The Minister of Energy (Mr. McKeough) and the Premier went down to Ottawa to the talks and they admitted they goofed because they went unprepared. They didn't have proper advisers, proper advice or the know-how to talk in this parlance of the millions of dollars involved.

Mr. Speaker, as a result, the Ontario consumer is paying through the nose in a $100 million ripoff simply because the Minister of Energy consented to a five-cent-a-gallon increase for Ontario taxpayers. In his words, he said it was "to pay for exploration costs that will pay dividends in the next generation." These are his words. It is costing the taxpayers of Ontario $100 million a year because we are paying for exploration costs for the next generation.

There's no reason for it. Those members who are knowledgeable, the lawyers involved in the House here, know about oil depletion allowances that reap millions of dollars a year for oil companies. But this five-cent flub by the Minister of Energy will cost Ontario drivers over $100 million this year. I'd say, in the words of Churchill, some energy boss; some ripoff!

Let me tell the inside story about these oil depletion allowances. The oil companies tell the stockholders about oil sales and list the proceeds as incomes and profits. But when they're talking to the tax collector about them they're magically transformed into return on capital.

Many of these oil companies keep two sets of books, one for their stockholders showing the same kind of original cost figures that all industries use, and another for the government. In fact, the Internal Revenue Service in the States reported that in 1964 the petroleum industry showed after-tax profits of $1.7 billion for tax purposes. But on their own books of account the same companies showed after-tax profits of $5 billion—nearly three times as great. In 1966, their books of account showed after-tax profits twice as large as what showed up on their tax returns.

So, Mr. Speaker, I'm saying that with the great profits the oil companies are making—the greatest profits in history—there is no reason why the taxpayers of Ontario should be paying a five-cent ripoff for gasoline. Mr. McKeough and Mr. Davis, unprepared and not knowledgeable of what they were doing, went to these talks and made these commitments.

Mr. Speaker: Order. I wonder if the hon. member would refer to other hon. members of the House by their riding or their official title, rather than by their names?

Hon. G. A. Kerr (Solicitor General): Stop that "Darcy" and "Bill" bit.

Mr. Sargent: I'm sorry, Mr. Speaker. I'll try and go by your ruling. If you don't know them, you should know their names.

At the risk of being on the wrong side of the fence again, the biggest ripoff in government today is the fact that this Ontario government is hell-bent on a nuclear power development to the tune of between $15 billion and $20 billion. Yesterday the Minister of Energy said to us he's going to form the Ontario Energy Corp.—

Mr. R. Haggerty (Welland South): Gotta watch that one.

Mr. Sargent: —in his words, to give the big business firms a piece of the action. Those are his words. He says this is a good Tory conception, with the eventual chance of gaining a foothold in the ownership of Ontario Hydro, now owned by the people of Ontario.

Hundreds of millions of dollars in Hydro contracts are issued every month today with no tender bids. A top Hydro authority told me: "You think the Moog affair was bad? You should see what's going on today in nuclear power and they're talking billions of dollars." There are no tenders being let today. The same basis for the levying of the Hydro contract for the building over there is being used on billions of dollars in Hydro contracts.

I say this is a big ball game of the whole world, right here; a $15 billion or $20 billion operation. Is it any wonder the Premier and his establishment people want to stay in power to control this money flow? The Mafia and Watergate are peanuts compared to the Tories in Ontario.

To summarize, after all the graft, corruption and selling of the contracts, which we have record of—

Mr. Haggerty: I want the Solicitor General to investigate that.

Mr. Sargent: It is on the record. The Minister of Agriculture and Food is starting to bristle and I'm going to get to him in a minute.

Hon. W. A. Stewart (Minister of Agriculture and Food): Go right ahead.

Mr. Sargent: Nuclear power will carry, in the total picture, less than eight per cent of the total power load in our lifetime, aside from the $15 billion or $20 billion drain. I say there are many different ways to spend $20 billion; many different ways. That $20 billion would provide 2,000 hospitals in Ontario with 400 beds each. We can't even get one up our way, and people are dying on the peninsula because they can't get doctors. Or $20 billion would provide one million families in Ontario with homes, with no taxes for life. Or $20 billion would give two million students 10 years of free education, with no taxes to pay. This illustrates the cost of the nuclear power programme, which we need like a hole in the head.

I want to say, Mr. Speaker, that committed as we are to this programme, everything the Minister of Energy has done he has made a flop of. He has messed up everything he has touched, and now they give him the purse strings to $20 billion, and $100 million to form an energy corporation, to get more of their friends on the gravy train.

Mr. J. E. Bullbrook (Sarnia): That's true—that is exactly what he will do with that corporation.

Mr. Sargent: He'll be looking after Union Gas and all his friends down there. I recall the member for Sarnia talking about the friendship that Mr. Cronyn had with the present Minister of Energy, having lunch all the time, and then a few weeks later they had a rate increase go through for Union Gas. This is the kind of thing that is going on that people don't know about.

No insurance company in North America will insure anyone's place, home or property against radiation damage. One can't buy it; it is written into insurance policies that insurance companies don't trust this nuclear power programme. The members should check their policies when they go home and see how much faith the insurance companies have in this programme.

We have had two leaks at Douglas Point now, and they have wasted $1 million on one mistake that no one would believe in this House when I brought it up. Now they are building huts to protect people in this area and they are banning the use of the park in this area. They are doing away with the park and converting it to nuclear power. Yet the atomic power officials in Ottawa have refused to meet scientists to go on the air to tell the people of the dangers of nuclear power.

The problem with nuclear electricity is that as much long-lived radioactivity is produced inside one large nuclear plant, Mr. Speaker, every year as there is in an explosion of about 1,000 Hiroshima bombs. When we say long-lived radioactivity, we mean long. Some kinds last for 100 years, 300 years and even 240,000 years. Unprotected above ground as they are, loaded with radioactivity in their cores, the plants would certainly be large liabilities if this country ever were under attack from an enemy. They seem to make this country indefensible.

It is a matter of record—I think I have the statistics here someplace—that of the 50 nuclear plants in the States, 21 have been closed down for safety reasons this past month, and there is great concern. "Twenty-one of the 50 power reactors are closed down for safety tests in the USA." That is from the New York Times.

Getting on to the dangers involved in the overall picture, under the circumstances it would not be too surprising one morning to turn on the TV or the radio or pick up the newspaper and find that a handful of fanatics was threatening to destroy—and not faking either—some major city across the world by the use of nuclear warheads, which could be put into a suitcase to blow up a city.

Mr. Speaker, I have made the point that we have this government which is almost bankrupt. They are approaching a debenture debt now of about $1 billion, and they are going to have a deficit this year of about $1 billion. We have a sad affair before the people of Ontario this next while.

Mr. Speaker, I know that there are two more important speakers after me here. The member for Carleton East (Mr. P. Taylor) is going to make his maiden speech and we are looking forward to hearing it.

But I want to say that the Minister of Health (Mr. Miller) is in his seat today and he has a big responsibility. He decides whether or not my people are second-class citizens, that 107 per cent occupancy is what we

should have, that 450 people should wait for elective surgery, and 150 people should wait months for urgent surgery, and that the Chairman of the Management Board's (Mr. Winkler) hospital was given $4 million to put in a plush operation.

Is the minister listening? The fact is that we're putting portables on our lawn now while this government is receiving $750 million from the federal government to distribute in Ontario and it has the audacity to say I can't get my share of that for my people.

Who does the government think it is to make that decision because that $750 million comes from Ottawa? The minister says I can't get any share of that because he distributes the largesse of this province and he wants to write to my people and tell them that they are second-class citizens and cannot have the right that people have in Toronto or Hanover. Hanover sends people to our hospital because they haven't got the staff there to handle them.

I have one more thing while I am at it. This Minister of Agriculture and Food gives our people in this province the back of his hand. When the beef industry is suffering, Quebec, Saskatchewan and Alberta get interest-free loans but here in the greatest beef-producing area in the whole world he is charging interest to beef operators on their loans. I would like to ask the minister somewhere along the piece if the federation and the farmers' union approved having the governments, federally and provincially, finance and set up packing facilities to give them a marketing wallop against their present packing industry, would this government policy include making available, say, $5 million to match $5 million from Ottawa so that it could be arranged? I know what would happen. The minister would give us the same answer that he gave to the FAME operation. When they needed $1 million to stay in business he wouldn't give them five cents.

I suggest to you, Mr. Speaker, that not only are the packing houses paying into the pockets of this government but the trucking industry is paying into the pockets of this government for election funds. It's one big mess and I could talk for hours on it.

Hon. Mr. Stewart: If the member is not particular about the facts, he could.

Mr. Sargent: I could tell the minister what he did on FAME. Let him tell us what he did on FAME.

Hon. Mr. Stewart: Why doesn't the member go down and ask his friends in Nova Scotia what they did with the co-op packing plant?

Mr. Sargent: The minister sold them out. He sold FAME out. They needed $1 million but what did he do? He gave Victoria and Grey a $3 million credit figure but not one cent to the farmers.

Mr. Speaker: Order, please.

Hon. Mr. Stewart: The member can't mouth out of both sides at once, sucking and blowing at the same time.

Mr. Sargent: Don't kid me.

Mr. Speaker: Order, please.

Mr. Sargent: One more thing, why doesn't the minister ship his cattle personally through the Ontario stockyards? Tell us that.

Mr. Speaker: Order, please.

Mr. Sargent: He ships his own cattle to Canada Packers.

Hon. Mr. Stewart: No, sir.

Mr. Sargent: Don't kid me a bit. I called the Ontario stockyards and they said the minister doesn't ship through them.

Hon. Mr. Stewart: That's right.

Mr. Sargent: Why doesn't he? The Ontario stockyards are good for anybody else.

Hon. Mr. Stewart: There are lots of other people to ship to.

Mr. Speaker: Order, please. Will the hon. member continue?

Hon. Mr. Stewart: I want my hon. friend to know, Mr. Speaker, that I have not shipped cattle to Canada Packers ever that I can recall in all the years I've been farming. Let that be on the record too, which is a fact and which is something that he doesn't know anything about.

Mr. Sargent: What packing house does the minister use then?

Hon. Mr. Stewart: I use several packing houses.

Mr. Sargent: Why not the Ontario stockyards?

Hon. Mr. Stewart: I also use community sales. If my hon. friend wants to know my business, let him come out to the farm and talk about it.

Mr. Speaker: Order, please. The hon. member will continue.

Hon. Mr. Stewart: He is nothing but a character assassinator of the first order.

Mr. Sargent: The minister won't be there very long, so let him not worry about it.

Hon. Mr. Stewart: If the fellows over there in that party are proud of that kind of stuff, they ought to be very proud of him.

Mr. Sargent: If we had time, members opposite would hear a hell of a lot more too.

Mr. D. M. Deacon (York Centre): We're not very proud of those over there.

Mr. Speaker: Order, please. If the hon. member would continue.

Mr. Sargent: Mr. Speaker, I would like to go on but I think I've told the Minister of Health and the Minister of Agriculture and Food how I felt about the way they operate. I know they won't lose any sleep about that. I would like to yield the floor now to the member for Carleton East.

Mr. Speaker: The Chair would recognize the hon. member for Prince Edward-Lennox before the member for Carleton East.

Mr. J. A. Taylor (Prince Edward-Lennox): Thank you, Mr. Speaker.

Mr. G. Nixon: Great man, nice fellow.

Mr. J. A. Taylor: Again I would like to compliment the acting Speaker on his keenness in recognizing the riding of Prince Edward-Lennox and calling on me at this time. I appreciate it very much, Mr. Speaker, and, of course the manner in which you always conduct yourself while in the Speaker's chair.

Mr. L. Maeck (Parry Sound): He makes a good choice of speakers.

Mr. G. Nixon: He does a fine job.

Mr. J. A. Taylor: I would like to make a few remarks today in regard to the government's current budgeting programmes, its policies and its political philosophy. In a way, Mr. Speaker, it's an address of thanksgiving without being patronizing, and if at times I am a little critical then I hope it will be interpreted as criticism in a constructive way.

Earlier this week, the Treasurer (Mr. White) delivered an address on behalf of the Premier of this province at the Ontario Economic Council "Outlook 75" conference at the Science Centre. He stated:

> The world has difficulties of a fundamental order in its monetary system and in the mechanisms for maintaining financial stability. It faces also a serious and distressing food problem, particularly in the production of cereals. It has more people than it can feed, house, clothe and provide for at humane and decent standards. Its energy-rich countries are draining away vast financial and economic resources and threatening economic instability of a monumental order. And last, and by no means least, inflation is global and persistent.

In Ontario, Mr. Speaker, in contrast to many parts of the world, we are experiencing buoyant times and a very high standard of living. Since the end of the Second World War there seems to have developed an attitude that we as citizens of Ontario, and I would say that we as citizens of Canada as well, expect to have and to enjoy food, shelter, clothing, hospital care, medical care and a number of other benefits, merely because we happen to be residents of Ontario, or because we happen to be Canadian citizens. We seem to adopt the attitude that this is ours as a God-given right. Combined with that, of course, is the attitude of rising expectations, so that no matter how well we do, we expect at least to do better next year.

Of course, we are in a very trying period in that it's becoming more and more difficult, with the inflationary spiral, to maintain our status vis-à-vis one another, in terms of our standard of living. I think we have to remember that this standard of living that we enjoy and take for granted in this province is not something that we should take for granted. It is not God given, it has to be earned. Consumers' goods must be produced. People have to produce in order to consume.

It is not so, of course, in other parts of the world where, no matter what those people's attitudes may be, they do not have the opportunity to work and to produce in order to consume. They face serious and distressing food problems and starvation. There is a lack of housing which would be shocking, I think, to anyone in this chamber. Their general standards of living are neither humane nor decent. I've seen some of the accommodation that less fortunate people in the world have.

I remember some years ago looking down from a room in the Hilton Hotel in Mexico City and watching some Mexican people cook

their tortillas under a lean-to made of cardboard and scrap metal. I've seen people in Brazil come down from the hillsides and go along the Copacabana beach at night searching through the garbage for the left-over food from the hotels. These very same people are washed out every time it rains.

At that time, interest rates in Brazil were often over 40 per cent per annum. As far as capital investment was concerned, industry would often write off its total capital investment in three years. The climate, in terms of its politics and economics, was very unstable indeed.

Housing in so many parts of the world reflects this situation. I've seen people living in caves in the Middle East. I've seen them living on rooftops in the Orient, along with their chickens, where space is so critical and accommodation non-existent. Even in some of the countries that we look to and seem to respect, the housing there is not anything to match ours. In the Scandinavian countries they still have their three-, four- and five-storey walk-ups.

I remember some years ago talking to a couple in Copenhagen who were getting married, because they would obtain priority in terms of rental accommodation if they were married. Their philosophy was: "Accommodation first; we'll worry about the marriage working out later." As a matter of fact, it was expressed that it wasn't intended to last.

In Russia and other eastern countries, there is the same problem with housing. Again, I will recall some years ago visiting some construction sites in and around Moscow. The workers in the plants, as an incentive for production, were given the opportunity to have some priority or preference in terms of living accommodation. The apartments that were being constructed would never match the type of public housing that is being constructed by this province, and being subsidized by this province.

I think if you visit other countries, whether it be Italy—as I mentioned today—Greece or Turkey, you will see similar situations. Part of the problem, of course, is adapting to the current technology of the world.

Some years ago I was spending a day with an author, Frank Yerby, who was working on a historical novel, and I accompanied him on a trip from Athens to some of the islands. He related to me his despair in terms of the work that was being done by the United States in endeavouring to upgrade and uplift the agricultural economies of India and, I believe, Ceylon. There, the techniques were demonstrated to the local people, but no sooner did the Americans turn over the projects to the local people than they reverted to their own ways.

I know a similar situation exists in so many countries. I have watched the farmers along the Nile with their old hoes trying to work the land. The type of implements that they have used for thousands of years are still being used. The water buffalo is often a means of locomotion. I have watched them build roads in Jordan where they take a little hammer to break stones, carry these stones in baskets made out of old tires, place them very carefully in arcs and then pour sand on them and pat them down. If you see the results you wonder why they ever attempted to build a road. One of our pieces of road-building equipment could build as much in half a day as they would probably build in a year, but their economy would probably be ruined because the people would be put out of work.

I mention all of these things because it's a backdrop, in a way, to what we have here and what we take so much for granted. In Ontario we no doubt have the highest standard of living in the world. No matter how poor some of us might feel we are, if we put our positions in perspective, we are very rich indeed.

Let me mention some of the measures that are being taken by this government and implemented in progressive legislation that is second to none. The consumer protection legislation which is currently being processed I think is very advanced. Our post-secondary educational system, like the elementary and secondary education, is just unsurpassed anywhere. The addition of nursing-home care and free-prescription drug plans for the aged has continued the evolution of our health delivery system.

Industrial and tourism development has expanded through financial assistance and promotion of broader export markets. In terms of our environmental programmes we are moving ahead at a very fast rate, and I must commend the government in terms of its projects for the recycling of solid wastes.

One of the early initiatives of this government was to abolish the OHIP premiums for everyone 65 years of age and over. We added extended health care and nursing homes to health benefits. Earlier this year we introduced Canada's first guaranteed income programme for senior citizens to supplement the federal old age pension. The GAINS programme ensures every pensioner, and the handicapped as well, a minimum income of

$2,700 annually. Prescription drugs are free to all our senior citizens receiving the guaranteed income supplement. These are just some of the examples of this government's response to the needs of the people of Ontario.

In terms of local government, the transfer of moneys from the province to local government amounted to $2.3 billion this year, which is roughly 30 per cent of our total spending and represents more than 90 per cent of the provincial revenues from retail sales tax and personal income tax combined.

I think all hon. members will agree that the mill rates in most of the municipalities in this province have been kept down because of the transfer payments from the province to those municipalities. I know it is often difficult for a provincial member to accept the fact that the local politicians may be getting credit for keeping their tax levies down while the provincial rate seems to increase, but the credit surely should be to the province for ensuring that the homeowner is not unduly burdened with rising taxes.

There have been programmes for the restructuring of local government. I think the concept initially was to see that essential services were unified in those municipalities that required a co-ordinating and upgrading of services. The first regional government, of course, was in the Metropolitan Toronto area. We have seen a number of these regional governments develop and, where I have been able, I have certainly cautioned the municipalities to do whatever they can to preserve their own self-determination. I know that it is important and in some cases imperative, to unify the essential services of water, sewer and some other similar services, where the existing political boundaries are not the best boundaries for servicing the inhabitants.

It's important that the local municipalities control their own destinies. I know that someone farther away always seems to think that he is in a better position to determine what is best for the local people. The mandarins around this building often have been accused of unnecessary interference, and I think unnecessary interference has been inferred because there has been a lack of understanding on the part of some of the civil servants in terms of the needs, the hopes and the aspirations of local people.

In our democratic system, surely the local people are the ones who count. They may make mistakes, but while these municipalities are small, they will be small mistakes, and they can live with those mistakes.

But, of course, the larger the government becomes, the bigger the problems, the more complicated the solutions, the bigger the mistakes and the more costly the mistakes. So, I think that we must do everything possible to preserve and to encourage the maintenance of units of government that are small, while at the same time being large enough to present to the people the type of servicing that they require and demand in this age.

It is important to ensure that the local people develop their own official plans; that they determine how their land is to be used; what type of housing they are to have; what parks they are to have. Plans of subdivision should be left with the local people. And I think it's the direction and thrust of this government to certainly turn over more of those powers to the local people, certainly in areas where government has been restructured.

This government has been criticized in terms of its transportation policies. I think that that criticism has been unjust and irresponsible. Certainly the magnetic levitation method was an experiment that this province should have undertaken and, I gather, is still pursuing.

It's important that we look to the future; that we employ every advanced means of technology available; that we be futuristic in our thinking; and that we have goals and aspirations. Without goals, of course, man is merely a turnip, vegetating from century to century.

We must be bold and brave, even if at times ridiculed, and I think history will prove the province to be right in pursuing new and modern methods of transportation. Certainly we have the best highway system in the world in this Province of Ontario, and the province's support of municipal transportation systems is second to none.

There certainly is a problem in terms of maintaining our farming community, and this concerns me as a representative of a rural riding. We've heard much in the past, and there has been stimulus, no doubt, about creating bigger and bigger units of production, so that our farms were encouraged to become more specialized and bigger. Everything had to be on a more grandiose scale. We reached a point where the farmer has so much money tied up in his investment that if he could get it out he certainly wouldn't put it back into farming. But the problem is to get it out.

I think we've lost sight again of the little man, the little farmer, the family farm, the small unit of production that has really been the backbone of this province in terms of its agricultural strength.

Looking at the farming unit of years ago, you had, of course, general farming to a great extent; so that when the price of pork was bad, maybe you could make your money on the milk or the beef or the chickens or the eggs. And if you had a little orchard, you could probably make some money on that. So, what you lost on one you could compensate for on the other. Today in an era of specialization it is more difficult and, of course, that becomes even more apparent when one talks in terms of farm labour because who wants to work on a farm today? We seem to expect the farmer who is locked in and the members of his family to stay on the farm, but we don't seem to be able to encourage others from the outside to take on that role.

It is essential in my estimation to do whatever we can to encourage the smaller farming unit and to encourage that family to remain in farming. We have to find some way to maintain a decent standard of living for the farmer to ensure that he gets a fair return on his capital investment and on his labours. I shudder to think what would happen if we as a province and we as a country had to depend on foreigners for our foodstuffs. Let's hope that we are never in the position to be at the mercy of other countries in terms of feeding our people. If we could ever talk about an essential service, we should be talking about the farming population.

At one time, it was thought that if you couldn't do anything else you could always farm, Mr. Speaker. The rural people were referred to as dumb farmers as though they were stupid, but if you are working on a farm today you have to be everything. You have to be a mechanic, an electrician and a carpenter, Mr. Speaker. You have not only to know machinery, but also to know insecticides. You have to be a lawyer and everything else to understand and interpret the law. Whether you are dealing with insecticides, pollution or environmental matters or planning—

Mr. B. Gilbertson (Algoma): You have to be sophisticated, Mr. Speaker.

Mr. J. A. Taylor: —a subdivision or land use, you just have to have a wealth of knowledge in order to farm. You have to be a veterinarian, you have to understand livestock, you have to be able to do just about everything that any trade would ever be called upon to perform.

Mr. J. Riddell (Huron): We need more of them in politics.

Hon. Mr. Kerr: No, we need them back on the farm.

Mr. J. A. Taylor: You can see, Mr. Speaker, that the farmers are very important and resourceful persons indeed. I think we have to respect more and more this group of people whom we take for granted. It troubles me that we take for granted the foodstuffs on our table the same as we take for granted electric light. We turn the switch and we expect the light to go on. It is only when it doesn't work that we become upset and disturbed and look for someone to point the finger at. In terms of our foodstuffs we take for granted what is on the table. We expect the chain stores, the grocery stores and the retailers to have their warehouses and their shelves full of consumer goods; but we have to start thinking of where they are coming from and the people that produce them.

Mr. Gilbertson: And appreciate it, too.

Mr. J. A. Taylor: Appreciate is right. We have to appreciate the toil that goes into that production for seven days a week and 365 days a year. Jobs which most people would consider too dirty or too menial to undertake are being performed by the farmer and that is why the farmer cannot hire help. The other reason is that his income from farming is so meagre that he has a difficult time being able to finance or pay for hired help.

Mr. Gilbertson: That's going to change though.

Mr. J. A. Taylor: I trust under the great leadership of our Minister of Agriculture and Food, a man of inestimable experience, common sense and hard work, will keep on working and, I hope, will make more progress in terms of helping the rural community.

Mr. Haggerty: The trouble is there are too many lawyers in farming.

Mr. J. A. Taylor: Mr. Speaker, I don't wish to take too much time in developing other areas.

Mr. R. F. Nixon: Carried.

Mr. J. A. Taylor: If I might just comment again on our transportation system, we've heard a lot about expressways and what's happening to our urban communities.

Mr. R. F. Nixon: The member's riding has got the Norris Whitney bridge.

Mr. J. A. Taylor: I want to thank the member for Brant. He's always been a friend of

my predecessor, Norris Whitney. He has, I know, a very high regard for that gentleman and for his contribution to this House, to this province and to his community. I do thank him for his reference to the Norris Whitney bridge, which was constructed over Highway 49.

Mr. R. F. Nixon: The member knows we miss his predecessor. Perhaps I shouldn't say more than that.

Mr. J. A. Taylor: That bridge is indeed a landmark and, of course, a vital transportation corridor linking Prince Edward county with the mainland. We hope, and it is expected, that a second high-level bridge or a tunnel will be constructed from the Rossmore area to the Belleville area. That will, of course, make it even easier for us to communicate with the mainland and the rest of the province and to participate in the growth and development of this great province under this great government.

Mr. R. F. Nixon: Carried.

Hon. Mr. Kerr: The member meant to say, "Hear, hear," didn't he?

Mr. J. A. Taylor: In terms of urban transportation generally, I think we have to be very mindful and very watchful of the size that the urban areas are becoming. Once you encourage growth it feeds on itself, and the next thing you know is that you have a vital problem of getting people around that community. We experience that in the Metropolitan Toronto area and, I'm sure, in other areas. This, of course, poses the question as to how you can girdle growth. No doubt, the policy of this government has been to decoy development to outlying areas of the province, far enough away from Metropolitan Toronto and other urban areas so that they can be self-sustaining and provide all of the amenities that a city would have.

In this regard, I commend the Minister of Industry and Tourism (Mr. Bennett) for the legislation and his attitude in helping in the financing of industrial and commercial development outside of the Metropolitan Toronto area so that more job opportunities will be provided to the people who are already living in those areas and so that there can be sufficient development and growth to provide for the amenities which people expect in terms of urban living.

We are seeing that happen in parts of eastern Ontario, of course, and I hope and trust that with the transfer of more responsibility for the planning, development and growth of our part of the province, more industry and commerce and the resulting job opportunities will be provided.

Mr. Speaker, I know that my namesake is anxious to make his maiden speech this morning, and for that reason I would like to conclude my remarks so that he will have an opportunity to proceed. Thank you very much.

Mr. Speaker: The hon. member for Carleton East.

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. First of all I would like to thank my hon. friend from Prince Edward-Lennox for cutting short his remarks in my favour this morning.

I welcome this opportunity to speak on the budget debate and to make what is known as my maiden speech as the newly elected member for Carleton East.

My first words to you, sir, and I hope you will convey them to Mr. Speaker Rowe, must be of congratulations on his appointment. He has been called upon to perform an important function in the public affairs of Ontario, and I wish him well.

Perhaps this is the moment for me to state my position on one important aspect of the conduct of the province's business. I am, and have been for some time, a strong advocate of time limitation on debates. For that reason I will not take more than 20 or 30 minutes of the time of the House today, and I hope there won't be any occasion when I will have to take more time than that.

Mr. Speaker, through you I thank the voters of Carleton East for giving me an opportunity to serve them here. Unlike most observers, to me the outcome of the Carleton East by-election was not a surprise. I was surprised, however, by the performance of my NDP opponent, Miss Evelyn Gigantes, who considerably increased her party's total vote and came very close to winning.

Mr. F. Laughren (Nickel Belt): Hear, hear!

Mr. P. Taylor: However—

Mr. Laughren: Stop there.

Mr. E. W. Martel (Sudbury East): Let him stop while he is ahead. Don't spoil it now.

Mr. P. Taylor: Before my hon. friends to my left begin congratulating themselves they should realize that their chances of doing so well again in a general election are remote, to say the least.

An hon. member: Very remote.

Mr. P. Taylor: Mr. Speaker, this was an historic by-election. As every commentator has said about the Carleton East results, it was an eloquent statement by a group of Ontario voters on just how they feel about the performance of the government sitting opposite, which today is looking so downcast.

An hon. member: And empty.

Mr. P. Taylor: I am privileged and happy to represent the people of Carleton East. This represents for me a major learning experience, because for the past 12 years or so I've been a broadcast journalist on the other side of the fence, so to speak, concentrating on the national political scene. It could be argued, I suppose, that in that role I have been safely removed from the reality of life as it exists in an area like Carleton East. However, I intend to demonstrate that this is not so, and to justify the confidence placed in me by the voters of the riding when they gave me, their only candidate who lives in that riding, their support at the polls.

Monsieur l'Orateur, le Comté de Carleton Est est à la fois urbain et rural, commercial et agricole, riche et pauvre, anglophone et francophone. C'est une realité ontarienne et canadienne qu'évidemment ce gouvernement n'est pas prêt à accepter.

Pour les trois quarts de million de francophones en Ontario, ce gouvernement n'a presque rien fait. C'est mardi passé seulement que nous avons entendu un ministre du gouvernement dire que c'était difficile à dire si les enseignes sur la route 417 seront bilingues; à mon avis il s'agit d'une décision ministérielle, c'est obligatoire dans une région de la province où se trouve 35 pour cent de la population francophone.

Mr. Speaker, this government has done almost nothing to serve the more than three-quarters of a million of franco-Ontarians. Just Tuesday of this week we heard one minister unable to say whether or not the signs on the new Highway 417 could be bilingual, in an area where francophones number more than 35 per cent in my riding alone. There is just no excuse for that.

Carleton East forms a large part of eastern Ontario, one of the two clearly defined areas of this province that has been systematically ignored by consecutive Conservative governments over the past 31 years. The other area I speak of is, of course, northern Ontario.

Putting it another way, eastern Ontario is one of the regions of this Province that habitually plays second fiddle to the region centred on Toronto, but which extends from Oshawa on the east to Windsor on the west.

For decades, Conservative members of this Legislature representing eastern Ontario seats have been asking for a plan that would include a schedule of co-ordinated growth for eastern Ontario. Those Tory members, even though some of them have been in the cabinet from time to time, have been able to get nowhere because Tory governments in Ontario have been characterized by myopia; they can't see beyond the urban sprawl of Toronto and southwestern Ontario generally.

Mr. Gilbertson: That's not altogether true.

Mr. Martel: What have they given to the north, beside the bridge?

Mr. P. Taylor: Perhaps my own Liberal colleagues here in this caucus who represent this privileged part of Ontario may not like this, but eastern Ontario's economy in some ways is actually regressing because of this knee-jerk development of the Oshawa to Windsor corridor.

Allow me to cite a few facts to illustrate what I'm talking about. Using Statistics Canada as the source, we can show that eastern Ontario's growth rate in population, labour force, manufacturing and a number of other areas is considerably slower than the rest of the province. Under some conditions, some might argue that that would be an enviable position to be in, given the wider acceptance these days of less growth and more quality in our lives.

In 1971, eastern Ontario held about one-seventh of the total Ontario population. Statistics Canada says that by the year 2001 that proportion will be only one-eighth.

All industries surveyed by Statistics Canada except one—the forestry, fishing and trapping industry—reflected a clear drop in the region's share of the total work force. Looking at it from another perspective, we can show that the growth in the size of the eastern Ontario work force is a full 11 percentage points behind the growth rate for all of Ontario's work force.

The total value of agricultural products sold in eastern Ontario has grown at a rate of 84 per cent over the past 20 years, while in the whole province the growth rate in agricultural production has been 155 per cent. Eastern Ontario's total farm land inventory is dropping at a faster rate than all of Ontario together, and the minister responsible for housing is busy buying up 10,000 acres of Edwardsburgh township at inflation-

ary prices so that he can pave them over as a town site.

Mr. Speaker, the number of manufacturing firms in eastern Ontario is dropping, as is the number of people employed in that sector. Compare that to the statistics for this region here. I could go on about roads and a number of things, but that is not going to get us anywhere or get anything done.

Mr. Martel: He's got some pride.

Mr. P. Taylor: What is happening in eastern Ontario may not be all that bad. However, it does reflect a situation that is dangerous for all of Ontario. I contend that if growth is allowed to continue unabated in the area between Oshawa and Windsor and all of that heavily populated area in southwestern Ontario and nearby, then this area will become one big wall-to-wall megalopolis, without distinguishing or redeeming features.

What this province needs—and only the Liberal Party of Ontario has said it is prepared to provide it—is a plan for Ontario. A Liberal government in Ontario will return to first principles and will ask basic questions—

Hon. Mr. Kerr: He must be kidding.

Mr. P. Taylor: —something that hasn't been done for 31 years. When the Liberal Party assumes the responsibility of government in this province, everything will come under review.

Mr. Haggerty: He's right on and they know it. They'll have to agree to that.

Interjection by an hon. member.

Mr. P. Taylor: Everything. Nothing will be taken for granted. One of the first questions to be asked will be—

Mr. Riddell: The truth hurts.

Mr. P. Taylor: —and listen carefully, chaps —one of the first questions will be: "Would it be wise to reduce the rate of growth in central and southwestern Ontario and instead work to improve the quality of life here?" At the same time, we'll be examining ways and means to avoid what Statistics Canada says is going to happen unless we radically change course—

Hon. Mr. Kerr: Hasn't the member heard of the green belt, the Niagara Escarpment?

Mr. Haggerty: That's where Stelco should have located.

Mr. P. Taylor: —and that is that eastern Ontario, by the year 2001, will have 1.5 million people while the rest of the province—mainly right here—will have 11.3 million people.

Mr. Speaker, the Treasurer will soon rise in his place, probably as early as next week, and he'll announce his government's plan for eastern Ontario. Please note, a plan for eastern Ontario, not a plan for Ontario. Past performance tells us it will be a glossy news media handout filled with glowing phrases about hollow gestures that will be designed to bamboozle the people of eastern Ontario. Well, Mr. Speaker, those people are a lot smarter than he thinks.

Mr. E. R. Good (Waterloo North): Typical Tory tripe.

Mr. P. Taylor: And unless he comes out four-square in favour of some form of arrested growth in this area and planned redistribution of industrial growth right across the province—not just for eastern Ontario, but right across the province—then his plan will amount to nothing more than a public relations exercise.

I repeat, the key to the quality of life in all parts of Ontario in the next half century is a party with the political guts to say to corporate interests in this province, "Okay, you can stay in this area if you want to, but there will be no more government assistance in this area. In fact, there will be considerable incentive to some industries to move to other, less developed areas of the province."

Compulsion will not be part of our vocabulary in government in this connection. It will be a plan designed to avoid disaster here in the rich and populated centre of the province, while at the same time creating an attractive environment that will result in people and businesses wanting to relocate.

Some of my more alert critics over there might say that this kind of relocation-by-incentive programme will then create the need for the kind of satellite, instant city the Minister of Housing (Mr. Irvine) is apparently gathering land for near Prescott. That isn't the case. In fact, a report commissioned by the provincial Treasurer's department in 1972 points out that the existing commercial and industrial centres of eastern Ontario are of the size and scope that could very well accommodate the kind of planned and coordinated growth envisaged.

It will also be our objective in government to retain as much agricultural land as possible for that purpose.

Now, some of my colleagues in this House may regard it as political suicide to telegraph in advance what some of my objectives will be as the new member for Carleton East. I am happy to take that risk, because I feel the people of my riding have a right to know what I am going to be spending most of my time on.

In general terms, I will be working toward the difficult to define goal of simply serving eastern Ontario and Carleton East better than they have been served in the past. And that's a value judgement that will be made at the next election by the voters.

Senior citizens' housing is something that my riding does not have very much of. Many of the old folks have to move from Gloucester and Osgoode townships, away from their children, and into facilities into the city of Ottawa. I will be trying to rectify that.

The roads of eastern Ontario speak for themselves. That part of Ontario features two-lane death strips that inhibit the movement of goods and people.

Mr. Speaker, bilingualism is a fact of life in Carleton East and eastern Ontario. I was shocked and deeply disturbed to learn on election day that nowhere in the polling places of this province is there any voting information in French. I was even more angry when I learned that the district returning officer can prevent anyone from voting who doesn't understand the questions put to them in English by the polling place staff.

M. l'Orateur, l'Ontario, même se le gouvernement ne l'aime pas, est une province bilingue dans un pays bilingue. Le gouvernement Ontarien a toujours accepté le principe du bilinguisme, mais n'a jamais agi dans l'intérêt des francophones. A mon avis, et d'après les voteurs dans Carleton Est et autres comtés dans l'est de l'Ontario, ce gouvernement est obligé de fournir ses services dans les deux langues officielles.

Mr. Speaker, it makes me just a little bit sick to hear from a minister of the Ontario government, as we did earlier this week, that turning out bilingual drivers' licences may be difficult. All that is difficult is that this government can't seem to bring itself to face the facts in the interests of the people it alleges to serve. And that may be understandable, because the Conservative is unable to attract the francophone vote.

I referred earlier in an oblique way, sir, to my interest in the business of the conduct of this House. I come from a long period of observation in the House of Commons, where the members feel their rules are always in need of amendment. However, the conduct of the business of that chamber is on a decidedly higher plane than this one, in my opinion. I think it would be good for us and good for the people of Ontario if we were all to make some effort to upgrade our performance in this House.

I am concerned about this for one basic reason. Ontario is spending more than $8 billion every year. This means that decisions worth $8 billion a year are being made in this House. And to this rookie observer, at least, the atmosphere of this House is not conducive to that kind of serious decision making.

I feel there is a shared responsibility for this on the part of all parties and all members, but there is no doubt that the government must accept the largest share. The rules of this House are shocking in the way they are stacked in favour of the government. And I must say at this point, sir, that this is not of your doing. You have inherited a system which has grown up over 31 years.

Also, the attitude of this government towards the rights of parties and individual members is equally shocking.

Mr. Riddell: We will try to change that, Mr. Speaker.

Mr. P. Taylor: In this connection, I refer to the exchange this morning involving the Chair, myself and the minister responsible for housing. The fact that ministers can ramble on unchecked in response to questions or ministerial statements is unfair and undemocratic. The fact that such a procedure exists and is allowed to persist means to me that the ministers over there are making statements of such questionable veracity that they can't stand up to inspection.

Mr. Speaker, you have my support in your obvious and commendable efforts to date, but I feel you should get to your friends on the government benches to change their thinking, because there's no way this party, the Liberal Party, is going to let up on these questions.

One of my primary objectives while an MPP will be to work with my Liberal Party colleagues so that we may be called upon by the people of Ontario to form the next government. One of my most keenly felt desires in the political field is to be given an opportunity to show Ontario how a Liberal government will be sensitive toward the needs and aspirations of the people it leads.

Hon. Mr. Kerr: Yes; like Bourassa, for example.

Mr. P. Taylor: Thank you, Mr. Speaker.

Mr. Speaker: The member for Downsview.

Mr. Bullbrook: —Sit down. We want to applaud some more.

Mr. V. M. Singer (Downsview): Mr. Speaker, in the beginning of my remarks in this debate, may I extend my heartiest congratulations to my colleague from Carleton East who has just delivered his first speech in this assembly. I think the affairs of the Province of Ontario were considerably improved and placed in good hands when the voters of Carleton East decided as they did a few days ago.

Mr. Speaker, I am going to spend a substantial part of my time in talking about the affairs of Ontario Housing. Before I do that, I do want to just say a word about an answer that was tabled by the House leader this morning in reply to a question placed by my colleague the member for Ottawa East (Mr. Roy). The inquiry was: "How much money has the Province of Ontario paid to Dalton Camp in the last five years? How much money has the Province of Ontario paid to Camp and Associates in the last five years?"

For anyone who might not know, Dalton Camp is a one-time president of the national Progressive Conservative Association, and certainly a very close adviser of the Premier. It is rumoured that he is the man who wrote the Premier's great Spadina death speech. Dalton Camp is well known to anyone who has followed any of the political affairs of the Province of Ontario.

Camp and Associates, it is my understanding, is a company that was established by Dalton Camp. It is my further understanding that he presently has no interest in it but that the company is run by a gentleman named Norman Atkins. Norman Atkins, I understand, is Dalton Camp's brother-in-law. Norman Atkins, I believe, was the campaign director for the Progressive Conservative Party of Ontario in the last election. Norman Atkins is one of the tiny group, the very close advisers, who tell the Premier what to do and how to do it. I understand that just in the last few days Norman Atkins has been down to Progressive Conservative headquarters in Toronto to put the place in order.

With those background facts, Mr. Speaker, I think it may be of some interest to see the answer the House leader tabled today.

Under the Ministry of the Attorney General, Dalton Camp was paid, in respect of fees as a member of the royal commission on book publishing in the years 1971-1972, and 1972-1973, the total sum of $17,910. There was also a small reimbursement for travelling expenses, so he received the total sum of $18,611 from the Ministry of the Attorney General in that period.

Dalton Camp has been paid for per diem rates and expenses concerning the commission on the Legislature, whose latest report was just tabled, $11,443, in 1972-1973; $13,961 in 1973-1974, and since the figures only go to June 17 of this year, $4,000 for the period from April 1, 1974, to June 17, 1974; for a total, up to June 17, of some $29,404.

Mr. Deans: That's not bad for part-time work, is it?

Mr. Singer: That's not bad for part-time work. But there are more interesting figures yet to come.

Mr. W. Hodgson (York North): The member for Downsview knows about part-time work.

Mr. Singer: Yes, I do; and so does the member for York North.

Camp and Associates received from the Department of Tourism and Information, for the St. Lawrence parks commission, $10,508, in the year 1969-1970, $10,691 in the year 1970-1971, and $7,585 in the year 1971-1972. In the year 1972-1973, they received the sum of $214,392 from the Ministry of Industry and Tourism; and in the year 1973-1974 the sum of $230,546 from the same ministry. That produced a total figure of $473,722.

Mr. F. Young (Yorkview): No cents on that?

Mr. Singer: No, there are no cents on that at all.

To be quite fair to the minister who tabled these figures, there is a note identified by an asterisk at the bottom of page 2 of the answer:

> These figures represent their commission [that is, Camp and Associates' commission] of approximately 15 per cent on purchases from the media and other suppliers from 1969 through Feb. 28, 1974.

I could pause there and point out that this is November, 1974, and one could reasonably assume an increase in those figures for an additional eight or nine months probably in

proportion to the figures that were reflected in 1973-1974.

> Services provided by an agency for this commission encompass creative concepts, including writing, layouts and art; media research; evaluation and planning of campaigns; placement of advertisements; verification and payment of media invoices.

In the Department of Lands and Forests, Camp and Associates received $5,500 in 1972-1973 for counselling fees, and another $7,239 for media services; for a total there of $12,739. In the subsequent year, 1973-1974, they received $6,500 for counselling fees and $15,711 for media services. There's another $22,000 that we can add to that $473,000, which brings it to $495,000.

From the Ministry of Transportation and Communications, Camp and Associates received $15,114 in 1972-1973 and $1,471 in 1973-1974, for another $16,585. Then at the bottom it says: "No payments have been made to Dalton Camp or to Camp and Associates by any other ministry in the last five years."

Mr. J. R. Breithaupt (Kitchener): They got more than half a million.

Mr. Singer: I thought the PS was very nice.

It should be of some substantial interest, I would think, to the ratepayers and the taxpayers and the residents, the old people, the people without houses, and all the other people who have difficulties in the Province of Ontario, as they try to understand those words of the Treasurer's when he talks about money in and money out, and how well we are doing and our five-star credit rating; in order to make all this possible we have paid, in five years, to a firm called Camp and Associates, something in excess of $500,000. And the head of that firm is none other than the man who ran a Tory campaign in the 1971 election, who is the Premier's closest adviser and who has now gone downtown to clean up the mess that exists at Progressive Conservative headquarters. I don't think that lily need be gilded any further, Mr. Speaker.

Now let me turn to the Ontario Housing Corp.

Mr. R. F. Nixon: Who is down there cleaning up the mess?

Mr. Breithaupt: Oh, is someone else cleaning up that mess?

Interjection by an hon. member.

Mr. Bullbrook: "Hodgson and Associates" has a nice ring to it.

Mr. Singer: Mr. Speaker, when the Ministry of Housing came before this House, my colleague, the member for St. George, (Mrs. Campbell) led off the debate for the Liberal Party and for the official opposition. She stated in her opening remarks that we believe the time is long overdue that there be a full-fledged inquiry and investigation into the affairs of Ontario Housing Corp.—since that time, in fact, it began. She was roundly criticized for this, I suppose, by the Minister of Housing, who has a brand new approach. He gives an answer and then he gives a further answer in words that someone could understand the second time if they didn't understand it the first time. He refuses to produce files; and later he produces parts of files.

But the criticism which emanated from the government side of the House was to the effect: "How dare you make such charges if you have got nothing to back them up?"

Well, I would think the events of subsequent weeks since my colleague, the member for St. George, made those remarks, and the events of past years, certainly are indicative why there must be and why there should be and why there has to be an investigation into the affairs of the Ontario Housing Corp.

I took the trouble a while ago to just extract from the Hansard index, going back to 1967, the number of occasions on which we, in the Liberal Party—and I am sure the NDP could prepare a similar index—have criticized the conduct, the actions, the performance, of Ontario Housing Corp.; have asked for information and been denied it; and have asked for investigations and have been denied those. They are here and they run through two pages; there are perhaps 30-odd different kinds of entries.

Now I am not going to rehash what has been done every year for five years; but let me tell you, Mr. Speaker, about some of the difficulties we have encountered over more recent times.

In 1972 certain information came to my attention which led me to make inquiries of the ministry in order to either establish the truthfulness of those suggestions, or to prove that they were in fact wrong. The suggestions ran along the line that there were numerous land transactions in which OHC was involved and which were approved by the directors of Ontario Housing Corp., in which several of the directors of that corporation had had a personal interest, either as land owners or as solicitors for land owners, and that, from time to time, the directors of Ontario Housing Corp. declared their inter-

est, recorded in the minutes that they did have an interest, and then the deals went through.

There were some specific suggestions, but I am not going to lightly throw names around because we still haven't had access to those minutes. There was certainly great doubt expressed about land transactions in the city of Ottawa. My colleagues, the members for Ottawa East and Carleton East, have posed a series of inquiries about those transactions. A rather lengthy speech came from the minister this morning which, when we examined it,—certainly as I listened to it—didn't seem to be the kind of answer which was required. There are all sorts of unanswered questions in relation to that Ottawa land transaction, perhaps even the coincidence of an official of Ontario Housing Corp., as he then was, being present when these matters were being decided and now being an employee of the persons who purchased the land from Ontario Housing Corp. at these very apparently large and inflated prices.

There have been questions about Headway. My colleague from Sarnia has put those questions very succinctly. It's much easier to put the questions, Mr. Speaker, than to get answers from the government. The affairs of Headway, insofar as they concern Ontario Housing Corp., certainly deserve to be told and told publicly. But up to now we have not been given any recourse or resort to the minutes of Ontario Housing Corp. which would give us some of the detail.

There are other problems in Hamilton. The hon. member for Wentworth has been talking about Hamilton and trying to get information and he's being denied that. There are problems at the Lakehead and problems at Sarnia. All of these things Mr. Speaker, have an unfortunate ring to them. We don't get any explanations. We don't get any minutes.

We get the Minister of Housing saying: "You don't expect me to look into the minuates of something that happened or the records of something that happened several years ago?

"But let me assure you," says the Minister of Housing, "it was good for the Province of Ontario." He's coined a new approach for what is good for the Province of Ontario. Insofar as value is concerned, it's something called residual value. That means, I guess, the kind of shell game that the Treasurer plays. Now you see it and now you don't. You get more money in than is going out. Where is the money? Under which shell?

What the Minister of Housing apparently seems to mean is: "If you'll bear with us for 20, 25, 30 or 35 years"—he doesn't even put an end on the period—"we will be able to tell you that the land we bought today, while we may have paid too much for it, will be worth far more residually."

If that kind of con game is going to be perpetrated on the people of Ontario, Mr. Speaker, we've got to be able to talk about what it really means; and we're being denied access to files, to records and to documents. What's happening is the attempt to snow us under with gobbledygook and lengthy reports, which in fact are not backed up by statistics at all.

As a result of some of my frustrations in 1972, having gone through several sources in an effort to get access to the minutes of Ontario Housing, I wrote to the then Minister of Revenue (Mr. Grossman), who was also in charge of housing. I think these letters should be put on the record. They've been there once but I think it's important enough to put them there again. I said:

> Dear Mr. Grossman:
>
> In recent days, certain disturbing information has come to my attention relating to the management of Ontario Housing Corp. Prior to entering into any discussion of this nature, I feel it is most important that I attempt to verify some of the details that have been reported to me.

I think, Mr. Speaker, if I may pause at that point, any member of this Legislature, before he begins to make charges should do his best to verify the facts that lie behind those charges. Certainly this has been my approach to this kind of matter since I have been a member of the Legislature.

> With this in mind, I had a telephone interview on Wednesday last with Mr. R. W. Riggs, the acting managing director of OHC, and asked him if I could be given access to the minutes of the meetings of the board of directors of OHC for the last 12-month period. Mr. Riggs advised me this was the first request of this nature he had received and that he would seek legal advice and he would be back in touch with me.
>
> The following day I was called on the telephone by Mr. E. J. Whaley, who I understand is the corporate secretary of Ontario Housing. He advised me Mr. Riggs had asked him to call me and that he, Mr. Whaley, was unable to give me permission to examine the minutes of meetings of the board of directors as I had re-

quested. Mr. Whaley went on to suggest that if I was not satisfied with this information I should communicate with you directly.

The letter goes on:

> I believe as a member of the Legislature or even as a citizen of Ontario that I should have the right to examine the minutes of the meetings of directors of a public body such as Ontario Housing Corp. Accordingly I now address this request to you.
>
> I do not wish to make a public issue of the fact that I'm denied access to the public records. However, if I'm not given the permission I request, I shall have no alternative but to raise the matter in the Legislature at the first convenient opportunity.

Then I got a very interesting letter back from the minister, dated Nov. 23, 1972.

> I have your letter of Nov. 17, 1972, in which you requested access to the minutes of meetings of the board of directors of OHC for the last 12-month period.
>
> You have also advised you were in contact with the acting managing director and other officials of Ontario Housing. They stated they were unable to give permission to examine the minutes of the meetings. I must tell you that the position taken by OHC is quite correct, in that the release of such documents is contrary to government policy with respect to the confidential nature of documents relating to Crown corporations in general.

Mr. Bullbrook: After the fact.

Mr. Singer: Yes, entirely after the fact. The minister began his letter by stating:

> In recent days certain disturbing information has come to my attention relating to the management of Ontario Housing Corp.

Then the now Provincial Secretary for Resources Development (Mr. Grossman) in his usual magnanimous way, says:

> It is, of course, not only your right but your duty as a member of the Legislature to satisfy yourself regarding such matters. It seems to me your purpose would be just as well served if you requested the specific information you seek . . .

—like, I suppose, "Are you prepared to say that director A or director B or official C is honest?" and "Could you tell me, Mr. Grossman, if that is in fact true?" At that point the minister would then give me the specific information that I sought, I'm sure.

> It seems to me your purpose would be just as well served if you requested the specific information you seek, either directly from me or through a question in the Legislature or as an order for return.

Well, we pursued that in 1972, Mr. Speaker; we pursued it in 1973; my colleagues pursued it in the last few days; and my colleague from Grey-Bruce in great frustration was attempting to get some kind of answer out of the government yesterday. Nothing is forthcoming. There is no availability of information to us in regard to public matters and we continue to be snowed under and conned by lengthy and irrelevant statements.

The minister goes on:

> In this respect you may rest assured we are prepared to give you every co-operation with respect to such information. [What nonsense. What baloney.] However, I am sure that you will recognize that access to the minutes of the corporation would have implications far beyond the mere matter of getting whatever information you require.
>
> As a lawyer, you certainly should know that reference to third parties could create legal problems . . .

I don't know what that one means—"reference to third parties could create legal problems." Does that mean that if a third party has had a particular benefit that he may or may not have been entitled to, and the documents are produced to us and we discuss it, as is our right and duty here in the Legislature, problems might be created? For whom? For a third party who might have been preferred? Or for someone who might have given preference to a third party? The provincial secretary, I suggest, Mr. Speaker, was a little confused.

> . . . as well as the fact that the corporation is constantly dealing with proposals to purchase land, the premature divulging of which could seriously and harmfully affect the interests of the taxpayers.

Now, there's a red herring if I ever saw one. Certainly no one in this party, and I wouldn't think anyone in the NDP, would expect that they have a right to be furnished with information about pending deals which would destroy the secrecy surrounding bidding and that sort of thing. But once they are over, surely, Mr. Speaker, we are entitled to all the information that is in government files, and that is what we are being denied.

Mr. Bullbrook: That's the essential distinction we've made.

Mr. Singer: We are being denied it. The Minister of Housing yesterday said: "You don't expect me to go back into the files and tell you about things that happened three years ago." And the Provincial Secretary for Resources Development says: "Don't expect us to tell you about what is in the process of happening." So we get caught right in the middle and we are, in fact, denied any and all information in regard to these matters. I just can't leave this correspondence without reading the provincial secretary's concluding paragraph:

> Hoping you see the logic of the government's position in such matters, I assure you again of my desire to co-operate in providing whatever information of a specific nature you require.

Mr. Speaker, I think that is a pretty serious condemnation of how this government carries on its affairs. The government has even grown away from its carrying out of certain actions and not accounting for them. They now believe—they have now switched their emphasis—that they have a right to do it, that they have a right to do whatever they want, and that we in the Legislature and the people of Ontario have no right to know what they are doing. That is what is wrong.

Mr. R. F. Nixon: We believe we have a right to know.

Mr. Deans: That's a familiar refrain.

Mr. Singer: Yes, the members have heard that before.

Mr. Bullbrook: It was a chap named Lawrence.

Mr. Deans: A chap named Lawrence?

Mr. Bullbrook: A chap named Lawrence once said that you have no right to know.

Mr. Singer: Oh yes, he discovered the Mafia in the halls of the House of Commons up in Ottawa.

Mr. Deans: Oh, that Lawrence. Isn't it amazing how he has—

Mr. Singer: That's the one.

Mr. Bullbrook: He had a right to know.

Mr. Singer: Yes, I understand the elevator operators in the House of Commons in Ottawa won't let him onto their elevators any more. However, he was the one who stood up and said we had no right to know. The provincial secretary follows it up and the present Minister of Housing follows it up; we have no right to know.

All of this, Mr. Speaker, brings me to the current issue, which is the land acquisition in South Milton. That land acquisition costs the taxpayers, the people of the Province of Ontario, some $12 million. The facts that I am going to deal with, which come from some of the answers given to us and some of our own research, indicate, I think very very clearly, that the people of the Province of Ontario paid as much as $4.5 million dollars of that money unnecessarily.

The people of Ontario paid $4.5 million dollars too much for land that was acquired for the South Milton land acquisition. The government was negligent; the government was careless; the government was non-caring, and these things happened at least because of the lack of organization and the lack of understanding as to how these matters can and should be carried out.

Mr. R. F. Nixon: They may have to go.

Mr. Singer: The first document that I want to refer to in this regard is the initial statement delivered by the minister after the matter had been raised here in the House on Nov. 13 and 14. The minister came back with his statement on Nov. 14, which is in Hansard and runs about 13 pages. And while I am talking about the supply of information, unfortunately the Minister of Housing seems to feel it is sufficient for the day if he gets up in this House and reads from his prepared text, sends copies of that text up to the press gallery, sends copies of the supporting documents up to the press gallery, and neglects to supply any copies to the opposition so that the matters can be followed in detail and immediately dealt with as matters that are then current.

That happened in relation to this Nov. 14 statement. It happened in relation to the other statement. It happened in relation to a very large bundle of documents that the minister tabled the other day, and it happened again this morning. I think there is nothing that indicates better the contemptuous attitude of government toward the opposition, toward the Legislature and toward the people of Ontario than this method of giving forth information. If they deny the opposition the information for a number of hours—and in my case I didn't get this information, the important information, from the government source for some 24 hours

after it had been talked about here—then obviously they snub the cutting edge of the criticism that could and should be forthcoming; and 24 hours later, often the ability to capture public attention in regard to a statement made by government has gone. This isn't by accident, Mr. Speaker. This is done as part of a deliberately contrived plan to deal with embarrassing opposition questions. "The less we tell them, the better. Eventually they'll get copies, but if we can delay them an hour or 24 hours, all the better; we can blunt their attack."

Well, let me go back to this Nov. 14 statement. At the bottom of page 6, the minister says: "Two other areas were identified. . . ." In answer to the specific criticism about the acquisition of the South Milton lands, he gave us a six-page lecture about the values of landbanking. That wasn't really what we were asking him about. We were asking him about why they paid so much money, $4.5 million too much, for the Milton lands.

So we got a six-page lecture about landbanking and the values of it. Then at the bottom of page 6, he starts to deal with it:

> Two other areas were identified, South Milton and Whitby North. I want to deal very specifically with the South Milton area, where it was decided to assemble approximately 4,000 acres out of the 8,000 acres identified in June 6, 1973, report. General approval was obtained by OHC from the government to acquire sufficient lands at a price not to exceed $7,000 per acre.

Fascinatingly, in the some 6 in. of material that the minister tabled there is not one document from the files of OHC showing how the board of directors of OHC dealt with this matter.

Mr. B. Newman (Windsor-Walkerville): Right.

Mr. Bullbrook: That says it right there.

Mr. Singer: I suggest to you, Mr. Speaker, that this is not just an accident, that those documents continue again to be deliberately withheld from the Legislature and from the people of Ontario.

We are entitled to see the minutes of Ontario Housing. When the minister makes specific reference to approval, then we are entitled to see what those minutes say, what kind of discussion took place and the basis on which the decision was actually made.

Not one piece of paper comes from OHC minutes in regard to this very important matter.

On page 7:

> OHC, acting on behalf of the Province of Ontario, undertook a survey of the price of land in the Milton area in October, 1973. The survey was carried out by a senior member of OHC who is an experienced appraiser. In addition, the corporation consulted with principals of Gibson Willoughby Ltd., who confirmed that the asking prices in the South Milton area ranged from $6,000 to $8,000 per acre and could be expected to increase.

Well, that is just a beautiful, beautiful paragraph.

The acreage we are talking about is really in the middle of nowhere. It is South Milton; it is surrounded on three sides by parkway belt greenbelt, and it is 10 miles away from Lake Ontario. There is no possibility in the foreseeable future of using it for any development purpose unless somebody builds a watermain from Lake Ontario, some 10 miles to the south. How big the watermain would be, I don't know; it would have to be a pretty big one. How much it would cost, I don't know. The figure of $100 million comes to mind. Whether that may be a little too large, a little too small, I don't know. But certainly it is going to be a very expensive watermain that is going to have to run north from Lake Ontario in order to service this South Milton land.

Recognizing this, the Treasurer himself said this morning, "Well, we are preserving agricultural land by greenbelt zoning. We are preserving agricultural land by parkway belt zoning. And that is being preserved in perpetuity." We then have a square of land, 4,000 acres in size, in the middle of nowhere, as I say, of which the government has bought 2,300 acres for a purpose—the minister is unable to tell us what the purpose is, except that it might be a good idea. Then there is the last line in that paragraph:

> Gibson Willoughby . . . confirmed that the asking prices in the South Milton area ranged from $6,000 to $8,000 per acre and could be expected to increase.

I say that is an utter, shameful canard.

Why would that land increase in price unless the prices were artificially stimulated? There is no reason that it would increase. No intelligent developer or speculator would go near it because it isn't developable and it isn't developable within the perceivable

future. Why would the land be expected to increase? There is just no logic behind this.

All right, let's go back, because this is going to take a while and I am not going to get nearly through all my points this morning; but let's see how far we can get.

Mr. Bullbrook: What about that study?

Mr. Singer: Yes, we go back to the beginning here, Mr. Speaker, to the beginning of this paragraph.

> OHC, acting on behalf of the Province of Ontario undertook a survey of the prices of land in the Milton area in October, 1973. The survey was carried out by a senior member of OHC who is an experienced appraiser.

Just let me deal with those two things. "Show us the survey, Mr. Minister, "we asked. "Don't worry, we will show you the survey."

Who was the experienced appraiser in Ontario Housing? Eventually it turned out it was Mr. Procter who has apparently great qualifications as a land manager, who has great qualifications as an office person, who has great qualifications in everything except appraising. He is not a member of one of the appraisal institutes in Canada or Ontario and he was described by the minister on Oct. 14 as a senior official of Ontario Housing who is an experienced appraiser. I just couldn't wait until we got the study of the experienced appraiser. I hold here in my hand now, Mr. Speaker, some four pages, handwritten—

Mr. Bullbrook: Handwritten, lovely.

Mr. Singer: —and undated, which apparently is this study done by this experienced appraiser.

Mr. Bullbrook: There are no other documents that could possibly be a survey that were filed.

Mr. Singer: Right.

Mr. Bullbrook: They have got to be that and that's what they base their acreage values on.

Mr. Singer: My colleague for Sarnia is so right. Do you know there isn't even a date on this thing, Mr. Speaker?

Mr. Speaker, you have had experience in dealing with land. Most of the people who are members of this House have had experience in dealing with land. Is this a study?

Mr. Bullbrook: That's the study.

Mr. Singer: Is this a study, a survey carried out by a senior staff member who is an experienced appraiser in the middle of October? Then you will go to the last page, Mr. Speaker, to try to find out the date. It was so good there wasn't even a date on it. There is a little note down at the bottom: "Undated, files chronologically indicated approximately April 17, confirmed by"—some authority. Can the member for Sarnia read that word?

Mr. Bullbrook: That's Oct. 18.

Mr. Singer: No, but that word?

Mr. Bullbrook: It's October and it's very important.

Mr. Singer: Yes, the fact is that this survey is undated. Is this the way the government does business? Is this the kick-off point for a $12-million purchase? Is this the basis on which Ontario Housing is prepared to say land is worth $6,000 to $8,000 an acre and is this how their business is regularly conducted?

Let me refer to a couple of things in this survey. The pages aren't numbered but I think I have got them in the right context. In any event, on one of the pages, Mr. Procter says:

> A sprinkling of real estate signs is evident over the area. Most farmers have been approached. Some have listed; others have not listed but should consider selling. Samplings are shown on a separate page.

Then there is this paragraph and I think this paragraph is a gem. Mr. Procter says:

> I believe the assembly of land would be abnormally difficult and costly . . .

If Mr. Procter is the senior official of OHC and an experienced appraiser who gives a survey, wouldn't you think, Mr. Speaker, somebody would listen to him?

> I believe that this assembly of land would be abnormally difficult and costly if the voluntary purchase route is attempted for these reasons.

And he gives five, and I'm going to read them. Voluntary purchase is the antithesis of expropriation.

What does Mr. Procter say? Mr. Procter says to Ontario Housing, if that's who he was reporting to; or to the minister, if that's who he was reporting to—because this survey isn't even addressed to anybody. It is just headed "Oakville North," and then "general" and

"topography". So, I don't know who this survey was prepared for; it doesn't show from the way it's set up.

So Mr. Procter says the acquisition and the assembly of this land—

> . . . would be abnormally difficult and costly if the voluntary purchase route is attempted, for these reasons:
>
> 1. Urban influence has already inserted itself in the area and owners are well informed as to Metro Toronto land prices.

It's obvious that Mr. Procter really isn't much of an appraiser, because what we're talking about is not land in urban Metropolitan Toronto. We're not talking about land in Oakville, where there are services. We're not talking about land in Mississauga, where there are services. We're talking about a 4,000-acre block of land, really isolated from anything else, surrounded by greenbelt and by parkway belt, and absolutely lacking in any of the services which would allow development. He goes on:

> The activities described, nurseries, market garden lands, golf courses and so on, all indicate high land value for other than agricultural land. The South Pickering project has taught owners to hold for the highest dollar and, if necessary, be expropriated. West of the ribbon development consists of fairly new, good quality houses. Many owners may not wish to sell voluntarily.

Now, that's the survey; that's the study. And Mr. Procter, for what it's worth, says to Ontario Housing, or to the minister or to both: "Don't go the voluntary route, because you're going to get into trouble. Go and expropriate."

The minister attempts to deal with expropriation. He said during the debate: "We would never expropriate." He then said, when he got into his second statement:

> There would be difficulties in expropriating, because the end purpose for acquisition is not clear in the government's mind. It may be farm, it may be commercial, it may be industrial, it may be residential. And that would cause us difficulties, because there's something we put into the Expropriations Act that might force us to have what is called a hearing of necessity.

I feel sorry for this minister, from time to time, because he is not too experienced in these matters. He is forced to rely on the advice that is given to him by his civil servants, by senior officials of Ontario Housing Corp.

Mr. Bullbrook: He's misled by them. And, therefore, misleads us—all the time.

Mr. Singer: So, we go to the difficulties to be faced by a trial of necessity. And I wonder why somebody didn't tell the hon. minister what a trial of necessity really is. If it is required by an owner whose land has been expropriated, notice is given and the responsible official—who is the responsible official? I think the Attorney General (Mr. Welch), perhaps. And he appoints an inquiry officer. And the inquiry officer comes into the area and holds a hearing and makes a report.

And guess who he makes the report to? He makes the report to the expropriating minister, who can accept or reject the report. And the expropriating minister then sits in judgement on his decision to expropriate, notwithstanding anything the inquiry officer may have said to him.

So, what is the difficulty about expropriating? Particularly, Mr. Speaker, since Mr. Procter recommended that that be done, and particularly since it would have saved the people of Ontario some $4.5 million.

Now, that has to be answered. Why did they not expropriate?

Remember the North Pickering development? They were faced with exactly the same problem; they thought they might be embarrassed by the hearing of necessity, so they had a special new little bit of legislation saying: "In expropriations in North Pickering we won't even have a hearing of necessity; we will just go in and take and the aggrieved people are not going to have that opportunity." But again, Mr. Speaker, that is gobbledygook. It is an unfair, improper interpretation of the expropriations statute, and improper information deliberately fed by the minister to this Legislature and to the people of Ontario in this regard.

I see, Mr. Speaker, that the hour is very close to 1 o'clock.

Mr. Bullbrook: Tell them the next chapter involves how Mr. Freedman moved in.

Mr. Singer: Yes, in moving the adjournment of the debate at the moment, let me say to you, sir, and through you to the minister, the next chapter involves a certain gentleman named Mr. Freedman, and how he moved in at the 11th hour, and how he appears to have made a profit of some $2.5 million or more because of at least the

government's negligence, at least the government's inability to come to grips. And you might, Mr. Speaker, hear some words about the chicken, the fox, and the big blue bear, and the roles all these three people played.

Mr. Bullbrook: The big blue bear?

Mr. R. F. Nixon: Tune in next week.

Mr. Singer moves the adjournment of the debate.

Motion agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, we are pleased to have notice of the next edition in this saga from the member for Downsview.

However, the business of the House next week will be as follows—I have given the other parties notice already, but I shall call it so that it is on the record—item 21, Bill 155; item 8, Bill 112; item 9, Bill 113; item 14, Bill 132; item 13, Bill 128; item 7, Bill 111; item 5, Bill 81; item 17, Bill 148; item 18, Bill 149; item 19, Bill 150; item 20, Bill 151; item 23, Bill 158; item 22, Bill 157.

Of course if the opposition is co-operative we will have another list to present at the end of that routine.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

APPENDIX

(See page 5883)

Answers to questions were tabled as follows:

4. Mr. Roy—Inquiry of the ministry: How much money has the Province of Ontario paid to Dalton Camp in the last five years. How much money has the province paid to Camp and Associates in the last five years.

Answer by the office of the Chairman of the Management Board of Cabinet.

The Province of Ontario has paid the following amounts to Dalton Camp and Camp and Associates in the last five years.

MINISTRY OF THE ATTORNEY GENERAL:

Dalton Camp

In respect of fees as a member of the Royal Commission on Book Publishing:

1971/1972	$14,940
1972/1973	$ 2,970
	$17,910

As reimbursement of travelling expenses in connection with the above royal commission:

1971/1972	$ 701
	$18,611

Camp and Associates

Nil.

MINISTRY OF GOVERNMENT SERVICES:

Dalton Camp

Per diem rates and expenses re commission on the Legislature:

1972/1973	$11,443
1973/1974	$13,961
Apr. 1, 1974 – Jun. 17, 1974	$ 4,000
	$29,404

Camp and Associates

$54

MINISTRY OF INDUSTRY AND TOURISM:

Dalton Camp

Nil

Camp and Associates

Former Department of Tourism and Information for St. Lawrence Parks Commission:

1967/1970	$ 10,508*
1970/1971	$ 10,691*
1971/1972	$ 7,585*
Ministry of Industry and Tourism:	
1972/1973	$214,392*
1973/1974	$230,546*
	$473,722*

* These figures represent their commission of approximately 15 per cent on purchases from the media and other suppliers from 1969 through Feb. 28, 1974. Services provided by an agency for this commission encompass creative concepts including writing, layouts and art; media research; evaluation and planning of campaigns; placement of advertisements; verification and payment of media invoices.

MINISTRY OF NATURAL RESOURCES:

Dalton Camp

Nil (including former Departments of Lands and Forests, Mines and Mines and Northern Affairs).

Camp and Associates

1972/1973	Counselling fees	$ 5,500
		$ 7,239*
		$12,739
1973/1974	Counselling fees	$ 6,500
		$15,711*
		$22,211

* These figures represent their commission of approximately 15 per cent on purchases from the media and other suppliers.

MINISTRY OF TRANSPORTATION AND COMMUNICATIONS:

Dalton Camp

Nil

Camp and Associates

1972/1973	$15,114
1973/1974	$ 1,471
	$16,585

No payments have been made to Dalton Camp or Camp and Associates by any other ministry in the last five years.

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No. 140

Ontario

Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Monday, December 2, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 2, 1974

The House met at 2 o'clock, p.m.

Prayers.

Mr. V. M. Singer (Downsview): Mr. Speaker, in the east and west galleries today are 130 students from Downsview Collegiate accompanied by several of their teachers. Downsview Collegiate is another outstanding secondary school situated, strangely enough, in the riding of Downsview. Half of the students live in the riding of Downsview and the other half live in the riding represented by my friend, the hon. member for Yorkview. So, with your permission, sir, I will introduce 65 of the students and perhaps the hon. member for Yorkview can introduce the other 65.

Mr. Speaker: I recognize the hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I would simply add my welcome to the words of the hon. member for Downsview and welcome those students who are here today from Downsview Collegiate. We hope they have a good visit and we hope the Legislature will give them a royal welcome.

Mr. Speaker: Statements by the ministry.

Oral questions. The Leader of the Opposition.

CSAO NEGOTIATIONS

Mr. R. F. Nixon (Leader of the Opposition): Perhaps the Chairman of the Management Board of Cabinet could report on negotiations, such as they are, with the Civil Service Association. Can he now tell us when he expects to introduce the amendments to the Crown Employees Collective Bargaining Act which seem to be of such primary importance as far as these negotiations are concerned?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, the hon. gentleman may or may not know that the negotiators are at the table as of about this hour with regard to the wages and other financial settlements. There is, in fact, a blackout on the news until we meet again with regard to legislative changes. I assure him that will be very soon.

Mr. R. F. Nixon: Supplementary: Since the minister indicated to us here in the House on Oct. 8, I believe, that there would be amendments, is the delay simply to give the ministry an opportunity to discuss the content of those amendments with the Civil Service Association, or are the amendments prepared and will we expect to see them sometime this week?

Hon. Mr. Winkler: It is very difficult because of my commitment to the CSAO, but that matter is under discussion. I will report immediately I can; I expect this week.

Mr. Speaker: The hon. member for Wentworth, a supplementary.

Mr. I. Deans (Wentworth): Yes, thank you. Might I ask the minister whether the recent advertisement in the local newspapers regarding the position of the CSAO and the government was put there by a number of people, including John Robarts and Colin Brown, and whether this was done with the approval of the government?

Hon. Mr. Winkler: I have no idea who is responsible for the ad. I can assure the hon. member that the government is not involved.

Mr. Speaker: Any further questions? The hon. Leader of the Opposition.

Mr. Singer: Is that Colin Brown again?

Mr. Deans: That's Colin Brown; that's who it is.

Mr. Singer: Yes, that would be my guess.

ECONOMIC SITUATION

Mr. R. F. Nixon: In the absence of the Treasurer (Mr. White), I wonder if the Premier would mind if I put a question to him on economic matters. What response is the government making as far as the economic indicators are concerned, which are indicating rather dramatically a downturn in the level of business activity and an upturn in unemployment in the province, much of it a

spillover from the problems the United States is experiencing, particularly in the automotive industry? Is there any thought that before we adjourn for Christmas there might be a full statement on the economy, either by the Premier or by the Treasurer and Minister of Economics, perhaps accompanied by a mini-budget or some new approach to budgeting which would meet our requirements, as it appears the economic situation is changing?

Hon. W. G. Davis (Premier): Mr. Speaker, I think, really, the leader of the New Democratic Party asked a somewhat similar question last week. I observed then that we were keeping a very careful eye on it and that I didn't feel any interest would be served by speculating, particularly on the side of there being a serious recession. I think I observed then, Mr. Speaker, that quite obviously some things happening in the United States might have some impact here. Of course, we are all concerned about the automotive industry.

I don't think, Mr. Speaker, there is any thought of a mini-budget or something of that kind, because at this stage it is really too early to determine just what the effects may or may not be. It's fair to state, from our standpoint, as I explained to the Leader of the Opposition, that it's something of a contradictory situation where as a government we are endeavouring to take the heat out of some aspects of the economy to try to come to grips with inflation, while at the same time as we are not anxious to see any increase in unemployment as a result of this. We have postponed a number of capital projects because we think this is one area where perhaps the economy can stand a slight stabilizing effect, except in the field of housing. When it comes to the automotive industry, Mr. Speaker, here once again it's a complicated matter for government, and I think government at all levels, because we are dealing with an area that is somewhat specialized.

If, for instance, in the construction field there was a real tapering off in the private sector or in housing, then as a matter of government policy we could move ahead with some government programmes. I think there was general consensus amongst all the Premiers and the Prime Minister and the Minister of Finance that at least for a period of time we would try to restrain government expenditure in this field, and it's a point of view expressed directly or indirectly by the Leader of the Opposition in some areas. Once again it's not a case of introducing programmes of that kind to offset what unemployment may or may not occur in Windsor or in Oshawa in terms of the people working in the automotive industry, because they are not interchangeable.

Mr. Speaker, I can only assure the Leader of the Opposition that we are in constant touch on the economic situation. We are all concerned, but at the same time in any relative sense things in this province are relatively healthy. That doesn't mean that there aren't problems on the horizon, and from our standpoint we'll continue to watch the situation. But I really don't think it would be proper to say in the next two weeks that there would be something of a mini-budget, because I question what a mini-budget could contain that would come to grips with a problem that I think really is very premature in defining it and certainly as it relates to certain segments of the population.

As to whether some comprehensive statement on the economy between now and Christmas might be helpful, I'll certainly discuss that with the Treasurer. I think that most of the information really is known to a lot of us, but certainly I would be prepared to discuss with him whether such a statement might be helpful to members of the House.

Mr. R. F. Nixon: A supplementary: Since the Premier indicated in his first sentence or two in answer to the question, that there were speculative attitudes on a possible recession, would he not consider that it would be useful for somebody with the stature of the Minister of Economics, who has access to all of the indicators and how they apply in the province, to make such a statement, particularly in regard to the construction industry, since even over this last weekend there have been further indications that in Metropolitan Toronto the level of employment in the construction industry, both for housing and for major construction, is on the way down?

Hon. Mr. Davis: Mr. Speaker, there might be some purpose in this. The reason I am reluctant to speculate—once again, I am no economist; and I make that abundantly clear. I think it is fair to state, though, that things of this kind are sometimes a state of mind; if enough people start saying we are going to have problems, sometimes these prophecies become self-fulfilling. The average consumer senses this. You can create an artificial feeling of economic difficulty—I don't say that it's not all real; don't misunderstand me—but I'm very reluctant to become one of those who, in order to grab a headline or

two or to create concern, is prophesying that we are going to have a major economic problem.

Mr. Deans: It is hardly in the Premier's best interests.

Mr. Singer: He certainly uses the same technique if he wants to push it the other way.

Hon. Mr. Davis: Well, Mr. Speaker, I have always been an optimist and I will continue to be an optimist.

Mr. Singer: Yes, even if it gets him a headline.

Hon. Mr. Davis: I think it's very important for the leaders of government in this province and in this country to retain optimism and confidence, because I think that kind of thing is important.

Mr. Singer: Based on fact—based on fact.

Mr. Speaker: Order, please.

Hon. Mr. Davis: The members opposite may not think so, but I happen to believe that.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, by way of a supplementary question, would the Premier give consideration to speaking with the leaders of the automotive industry in the province of Ontario to cushion, somehow or other, the direct impact of the sudden, precipitate layoffs that are taking place in the automotive industry in the United States? Is that not a feasible matter which the Premier or the Minister of Industry and Tourism (Mr. Bennett) could act upon at the present time, rather than to have it occur in the way in which it is occurring at this time?

Hon. Mr. Davis: Mr. Speaker, I must confess I have had one or two informal conversations. I don't want to appear to be making any brief on behalf of the automobile industry in this province, except to make this observation: I think it is fair to state that they are as anxious to minimize this as anyone else. I'd be quite prepared, or one or two of the ministers, to have further discussions to see if there is any way to minimize this further.

I think I'm right in reflecting that they are just as anxious to do this but, of course, they are in the position where they can't operate in isolation because of the automotive pact. I think most people would say that over the period of years it has been in effect, we have been something of the economic beneficiary and, of course, because now the very close relationship between the industry here and the United States, and with what we know is happening there—it's quite apparent to all of us—it does have an impact here over which the companies here have no direct control. But certainly, I would not be reluctant to chat with them at all or have one or two of the ministers talk to them.

We are in the fortunate position where, for a period of time at least, the impact on those individuals involved in the industry itself certainly is not as great in economic terms as it was five or 10 years ago. What concerns me, of course, is that while their position is protected to a certain extent in an economic way, the sub-suppliers or those developing components for the industry, which is widespread across Ontario, don't have the same degree of protection as it relates to the incomes to be paid to these people. Certainly, Mr. Speaker, I would have no reluctance in doing this. But without appearing to interpret the industry, I think they are as concerned as we are to try to minimize this as best they can.

Mr. Speaker: Does the Leader of the Opposition have further questions?

Mr. Young: Supplementary, Mr. Speaker.

Mr. Speaker: This will be the final supplementary.

Mr. Young: Again a supplementary to the Premier: Has any discussion taken place in respect of pricing of the automobiles at this point, in view of the very great profits—

Mr. Speaker: Order, please. That is far removed from the original question. Does the Leader of the Opposition have further questions?

Mr. R. F. Nixon: Yes. Is the member going to enter into an argument here?

Mr. Young: No.

Mr. Speaker: It can be a new question.

Mr. Young: This is dealing right with the whole matter of the layoffs.

Mr. Speaker: Yes, but it has nothing to do with the original question, the way it was posed.

ACUPUNCTURE

Mr. R. F. Nixon: I'd like to ask the Minister of Education if he has statutory

authority to exercise control over an institute known as the Occidental Institute of Chinese Studies operating out of Weston, Ont., which offers a correspondence course or 31 home-study lessons in acupuncture leading to a certificate.

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I believe I do not have statutory control over that.

Mr. R. F. Nixon: Supplementary. Can any kind of an organization supposedly operating in this province just put an ad in the paper under these circumstances granting some kind of a certificate signed by somebody that makes people acupuncturists? It may be a problem for the Minister of Health (Mr. Miller), but it is obviously a problem for education as well.

Hon. Mr. Wells. Mr. Speaker, I believe that my colleague, the Minister of Colleges and Universities (Mr. Auld), has been studying this matter, not in the light of the acupuncturists—

Mr. Deans: At the college?

Mr. J. E. Stokes (Thunder Bay): He's taking a course, is he?

Hon. Mr. Wells: —but of many courses that are given. I believe the course for practical nurses was discussed not so long ago in this House. There are many education courses that are given and ads that are put in the paper over which certainly I have no control. I don't know what position he has arrived at, but I know he has been studying that matter.

Mr. Speaker: Any further questions.

This is the final supplementary.

Mr. R. F. Nixon: Wouldn't the minister think that he should have statutory control over this sort of an offering?

Hon. Mr. Wells: Mr. Speaker, the statutory limitations of my responsibility are the elementary and secondary schools of the province. I don't believe that this would fall into either of those categories, so I don't think that I should have any statutory control.

Mr. Speaker: Any further questions?

Mr. D. C. MacDonald (York South): It's pretty elementary, some of this stuff.

Hon. Mr. Davis: Is it elementary?

Mr. Speaker: The member for Wentworth.

ELECTION POSTPONEMENT

Mr. Deans: Mr. Speaker, I have a question of the Premier. Would the Premier consider having some amendments introduced to the Municipal Act which would have allowed the Treasurer, or whoever happened to be responsible for municipal affairs, to have postponed the elections in the Windsor area as a result of unprecedented conditions—or in any other area, should those kinds of conditions occur in the future?

Mr. Renwick: Let's just have it in the summer instead of December.

Hon. A. Grossman (Provincial Secretary for Resources Development): No, it's been cancelled in Toronto. We are not having an election today!

Hon. Mr. Davis: Mr. Speaker, I haven't discussed this with the Treasurer, but I think it's something that is worthy of consideration, and I will do so.

Mr. Speaker: Any further questions?

Mr. F. A. Burr (Sandwich-Riverside): Supplementary.

Mr. Speaker: Supplementary. The member for Sandwich-Riverside.

Mr. Burr: Mr. Speaker, I have a supplementary question of the Premier. In view of the fact that because of the very serious snowstorm and icestorm in Windsor today, the early radio announcements said that the polls would be open tomorrow, and in view of the fact that now the city clerk says that only those polls that did not open on time today will be open for nine hours tomorrow, and in view of the fact that scarcely any voter knows whether his own poll opened on time today or not, and therefore will not know whether it will be open tomorrow—

Mr. Singer: Question.

Mr. Burr: —and in view of the fact that probably—

An hon. member: Come on!

Mr. Speaker: Order, please. There is quite a bit of build-up to this.

Mr. MacDonald: A very complicated situation.

Mr. Deans: It is very difficult.

Mr. Burr: —and in view of the fact that travelling to a polling booth in Windsor today is very hazardous—

Mr. Deans: Almost impossible.

Mr. Burr: —will the Premier intervene to ensure that all voters in Windsor will be able to vote tomorrow, as originally announced on the radio?

Hon. Mr. Davis: Mr. Speaker, I have a note here. The mayor of Windsor has been in touch and has been informed that there is no deferment possible under the Act and no extension of election except as provided in section 67. I would read to the member section 67: "If by reason of riot or other emergency"—and this is not a riot in Windsor—

Mr. Deans: It may be yet.

Hon. Mr. Davis: —but I would think, being a non-lawyer at this moment, I would describe it as being an emergency.

Mr. MacDonald: That is very perceptive.

Hon. Mr. Davis: The section continues:

> —the voting at the polling place is not commenced on the proper day or is interrupted after being commenced and before the lawful closing thereof, the clerk or deputy returning officer, as the case may be, shall hold or resume the polling on the following day at 11 o'clock in the forenoon and continue the same from day to day until the poll has been opened without interruption with free access to voters for nine hours in all.

This has been communicated, as I understand. There can be no announcements, either, of any results until the nine uninterrupted hours have taken place. I don't know from this note, Mr. Speaker, in answer to the hon. member, just what will be finalized in Windsor, but it's quite obvious some form of communication is going on and they are trying to resolve it; but I can't help the member beyond that.

Mr. Deans: Could I ask a supplementary?

Mr. R. F. Nixon: If the Premier is going to review this matter, why not look at it in terms of changing the polling day for municipal elections to a time of the year when campaigning is going to be a little more convenient and, also, voting will be a little more pleasant for the people?

Hon. Mr. Davis: Mr. Speaker, I have no strong feelings on this. I can only go through the discussions that have taken place over the years. We all know what the arguments are. You could have the elections, perhaps, in September or October. You then run into—

Mr. R. F. Nixon: Those are both good months for elections.

Hon. Mr. Davis: Yes, well, I found October to be, from my standpoint, a very excellent month for elections.

Mr. J. R. Breithaupt (Kitchener): Try it again.

Hon. Mr. Grossman: September, June—

Mr. T. P. Reid (Rainy River): Any month is going to be bad for the Premier.

Mr. Speaker: Order, please.

Hon. Mr. Davis: I found June not a bad month either; thinking back to 1959.

Mr. R. F. Nixon: The Premier does go back.

Hon. Mr. Davis: Oh, yes, I go back to 1959. I do, indeed. And September. In fact, the more I think of it, they all have been relatively good months provincially.

Mr. R. F. Nixon: Well, I was elected in January; so let's try one then.

Hon. Mr. Davis: Well, no; because the weather would be poor in January.

Mr. Breithaupt: But the results would be good.

Hon. Mr. Davis: One wouldn't have the same freedom and access to the electorate. But I think, Mr. Speaker, the argument has been once again that if you have the elections in October, what position is the council in that has the responsibility for the balance of the year? What happens for the two or three months prior to that? There's also the problem of the municipalities being on the calendar year in terms of finance. Certainly I am not averse to considering this. I know it has been explored on a number of occasions, but I have no objection to having another go at it.

Mr. Renwick: The Premier should appoint a task force to study it.

Mr. Speaker: Any further questions? A supplementary on this? Any further questions by the leader of the New Democratic Party—the House leader, that is?

Mr. Deans: Pro tem—just filling in.

Hon. Mr. Davis: What does he mean, pro tem?

Mr. Deans: No, pro tem—I was just listening to what was being said to me.

DONATIONS BY QUEEN'S COUNSELS

Mr. Deans: I want to ask the Premier a question, if I may. Would he care to elaborate on his statement that prospective QCs should, perhaps, consider making retroactive donations to Progressive Conservative fund-raising dinners?

Hon. Mr. Davis: Mr. Speaker, I don't think that I really said that. I was speaking to the criminal section of the Ontario Bar Association Friday evening, and I made a number of suggestions as it related—

Mr. Deans: All of them equally silly, but true.

Hon. Mr. Davis: —to a number of very important issues—

Mr. MacDonald: Apparently there's more than one toll gate.

Hon. Mr. Davis: —which I was surprised to see even reported. I don't think I—

Mr. Deans: I'll bet the Premier was surprised.

Hon. Mr. Davis: I mean, what I really said that was relevant wasn't reported—and I can tell the member what that was, if he would like.

Mr. Deans: In whose opinion?

Mr. MacDonald: If the Premier said it, it is very relevant.

Hon. Mr. Davis: I think it was actually fairly relevant, but probably only related to the legal profession—particularly Crown attorneys and others—because I was harking on a little bit of personal experience. I think I did observe that, from time to time, we hear about people who really aren't that interested in QCs, but I did observe that I sensed there probably were as many applications as in other years. This was met with some response, on the basis no one came to me afterwards and volunteered to give up his QC. I must confess no one came to me afterwards applying for one, either. I did tell them—

Mr. Deans: But was there a rush of retroactive cheques?

Hon. Mr. Davis: No, no; I didn't mention cheques. I did observe to them that it was not necessary to have a membership card in the Progressive Conservative Party if they were applying to me afterwards.

Mr. R. F. Nixon: Just helpful.

Mr. Deans: It helps.

Hon. Mr. Davis: No, I didn't even say that.

Mr. MacDonald: He winked at the right time.

Hon. Mr. Davis: I did go on to observe—so that this is clearly understood, too—that there were a number of reported federal leadership candidates there. But there was one who had not been at the two previous dinners—one Arthur Maloney, who, I see in the press, is being mentioned. I did observe to Mr. Maloney that I thought really it was grossly unfair, in that he is being reported as being interested, and he didn't have to attend the two previous dinners and pay the $125, as did some others who probably will be candidates, not myself incidentally, who did attend the dinner.

I think that's the only observation about membership in the Conservative Party that wasn't reported during that very brilliant dialogue I conducted at the outset of my very important remarks.

Mr. Speaker: Any further questions?

CITIZENS' COALITION ADVERTISING

Mr. Deans: One final question: Does the Premier feel that the advertisements in the newspaper of this last weekend by the Citizens' Coalition, headed by Colin Brown and John Robarts, could be construed by those who know politics to be the first blast in the Tory government's attempts for re-election?

Hon. Mr. Davis: Mr. Speaker, I'm constantly amazed in this House by the pro tem leader of the New Democratic Party and the very naive and facetious questions that he asks.

Mr. Deans: I'm sure he is. Would I be wrong in thinking that way?

Hon. Mr. Davis: I can only say to the pro tem leader and to what I'm sure in his mind is the eventual leader of the New Democratic Party, and I could make some personal observations about that—

Mr. R. F. Nixon: That is out of order.

Mr. MacDonald: Answer the question.

Hon. Mr. Davis: —that if I were the hon. member, I wouldn't be in a rush at all.

Mr. Deans: Do those questions worry the Premier a bit?

Hon. Mr. Davis: Firstly, Mr. Speaker, I don't know who is part of the Citizens'

Coalition. I think if the hon. member has some information as to who in particular—

Mr. Deans: Oh, I see. Does he know John Robarts or Colin Brown?

Hon. Mr. Davis: —contributed to the Citizens' Coalition, that's fine, I don't happen to know. I would only say this, when the Progressive Conservative Party starts its election campaign we do it during elections. We don't do it, as people opposite do, 52 weeks of the year, in terms of publicity and the attitude they take.

Mr. W. Ferrier (Cochrane South): We look after the folks back home.

Interjections by hon. members.

Hon. Mr. Davis: I can assure the hon. member there will be no doubt in his mind that it will be Progressive Conservative material; it will not be the Citizens' Coalition.

Mr. Singer: Benoit didn't seem to think so, did he?

Mr. Speaker: The Minister of Labour has an answer to a question.

Mr. MacDonald: Mr. Speaker?

Mr. Speaker: A supplementary?

Mr. MacDonald: A non-facetious supplementary question: Had the Premier or as far as he knows any other member of his government prior knowledge of this advertising campaign?

Hon. Mr. Davis: Mr. Speaker, I can only say that not only did I not have prior knowledge, but somebody had to phone me Saturday night. I don't want to be misunderstood in this because our paper boy is excellent, but I didn't see it on Saturday morning. For one reason or other, somebody had to phone me to tell me there was an ad in the paper.

Mr. MacDonald: How about all the other members of the cabinet or the Premier's staff?

Hon. Mr. Davis: I did not know it was going to be in. I cannot speak for my staff, but I doubt that they knew either.

Mr. Speaker: The Minister of Labour has an answer to a question.

ARBITRATION AWARD FOR WORKERS IN DUTTON CONVALESCENT HOME

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, on Nov. 26 the Leader of the Opposition asked me if I had been informed of an arbitration award concerning the Bobier Convalescent Home in Dutton, which appeared to create an anomaly in regard to the relationship between the legal minimum wage and rates which would result from the implementation of the award.

The award provided for an across-the-board increase totalling 95 cents per hour to be granted in three stages between June 1, 1974 and Sept. 1, 1975. This decision would result in a minimum rate for one or two classifications which would be below the minimum wage during the period Oct. 1 to Dec. 31, 1974. Clearly the minimum wage would prevail in any such circumstances.

In any event, at the request of the registrar of the Labour Management Arbitration Commission, the chairman of the arbitration board has agreed to reconvene the board for the purpose of dealing with the situation which was raised with me in a letter dated Nov. 20 from the union concerned.

Mr. R. F. Nixon: Supplementary: How can the Minister of Labour justify the fact that arbitration tribunals would ever come down with such a ridiculous decision?

Hon. Mr. MacBeth: Mr. Speaker, I think the answer in this case, and I haven't got all the facts so I don't want to be held to this, is that there were very few if any people at the low category, and that in their considerations they were more concerned with the upper categories rather than the lower categories. But I agree that they should have looked at our minimum provisions.

Mr. Reid: That doesn't cover it.

Mr. Speaker: The hon. member for Carleton East.

Mr. R. F. Nixon: The minister ought to fire them.

CSAO NEGOTIATIONS

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. I have a question of the hon. Premier. On the understanding that no one here on either side of the House wants to see a strike by the Civil Service Association of Ontario, but in the face of the fact that a majority of these people have voted to reject the latest offer and to approve strike action; and considering that such a strike would involve people such as the northern air service employees, staff of provincial

correctional and mental institutions, highway maintenance employees, ferry operators, provincial police dispatchers and many other categories, can the Premier say whether or not his government is preparing a contingency plan to handle such an event?

Hon. Mr. Davis: Mr. Speaker, I appreciate the hon. member for Carleton East has not yet totally understood the rules of the House. I know he is led astray by some of his own colleagues—

Mr. Reid: Getting awfully testy this afternoon. Those surveys of his must be getting worse.

Hon. Mr. Davis: —in an effort to present a point of view at the same time as asking a question. Mind you, Mr. Speaker, some of us on this side of the House on occasion seize the opportunity to also present a point of view, but we are always—

Mr. Breithaupt: Like now.

Mr. Reid: Answer the question.

Hon. Mr. Davis: —provoked into it; we are always provoked into it.

I would only say this, Mr. Speaker, that there are negotiations going on at this precise moment and I think any statement, by myself or the Chairman of the Management Board or others, speculating on what may or may not result because of those negotiations would not be proper at this time.

Mr. P. Taylor: Supplementary?

Mr. Speaker: One supplementary.

Mr. P. Taylor: Mr. Speaker, as usual the Premier has not answered the question.

Mr. Speaker: Order please. Do we have a supplementary question?

Mr. P. Taylor: The question is, in the event there is a strike, which nobody wants to see, is the government preparing a contingency plan? Yes or no.

Hon. Mr. Davis: Mr. Speaker, I recognize the hon. member would like us to say we consider the possibility of a strike and as a result we are planning arrangements in case there is. Mr. Speaker, there are negotiations going on at this precise moment.

Mr. Deans: And they are not being helped by the Premier or that fellow down in London; either one of them.

Hon. Mr. Davis: It is my hope that the matter will be solved.

Mr. Speaker: The member for High Park.

SEAFARERS' INTERNATIONAL UNION

Mr. M. Shulman (High Park): Mr. Speaker, a question of the Attorney General: Will the Attorney General, in light of the new information that has appeared in the public media, now order a royal commission into the violence that has taken place in and around the SIU?

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, it is my understanding that following the revelations in the media, as is the expression used by the hon. member for High Park, the Solicitor General of Canada is expecting some report following RCMP investigations. Indeed I have not seen anywhere where the possibility of a federal inquiry has been precluded following that review.

I would simply want to repeat the provincial position at this time as far as law enforcement is concerned. As hon. members know, some charges have now been laid with respect to specific incidents. What the Solicitor General (Mr. Kerr) and I have always said with respect to this matter is that if it becomes apparent this is more than simply the enforcement of the law and that there are other aspects with respect to the behaviour of officials of the union or whatever developments there may be, because of this being a federally-chartered union with the implications of involvement of other jurisdictions, if in fact a public inquiry was considered necessary it should be under the auspices of the federal Department of Labour.

Mr. Shulman: Mr. Speaker, it may be no surprise to you that I am not satisfied with that answer and I am sending you a written notice to that effect.

Mr. Speaker: The Minister of Housing has a short answer, he claims, to a question.

HOUSING IN NORTH

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, on Nov. 21 the member for Thunder Bay asked if the agreement on rural and native housing had been signed with the federal government; and if so when the government would move ahead to meet the need for 2,000 or 3,000 homes in the north?

Representatives of our ministry, Mr. Speaker, and those of the federal government, have been meeting to discuss the native and rural housing programme. We are at present in the process of trying to work out a mutually satisfactory agreement. I expect the senior staff will have a recommendation for me in the near future and I am hopeful that with the co-operation of the federal government I will be able to make a decision in the early part of the new year.

Mr. Speaker: The member for Rainy River.

SAFETY AT STEEP ROCK

Mr. Reid: Mr. Speaker, I have a question of the Minister of Natural Resources. Has the minister received the report, from a Mr. Calder and a Mr. Morton I believe, in relation to the situation at Steep Rock Iron Mines, where it has been suggested there may be some danger to the safety of the men working in that mine?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, this particular matter came to our attention about Sept. 18. At that time we were informed that the company had engaged the most knowledgeable people in the business, the consultants Golder-Brenner I think—

Mr. Reid: Browner.

Hon. Mr. Bernier: —Browner, yes, Golder-Browner. We issued a statement to the company advising them they must inform us on a day-to-day basis as to the conditions that were being monitored by the consultants on a 24-hour basis. This is being done. They tell me that at this point in time, from the reports received, there is no immediate danger. In fact the slide or movement there today is much smaller than the one that they had several years ago.

(However, following further discussions and further concerns expressed by the union, I met with them about two weeks ago in Thunder Bay and indicated we would verify this consultants' report by engaging two other consultants. So we have three consultants now doing the work and examining the situation at Atikokan, but I have not yet received their report. As soon as I have their report, I will be dealing with it.

Mr. E. J. Bounsall (Windsor West): A supplementary.

Mr. Speaker: One supplementary.

Mr. Bounsall: Yes, in view of the fact that there are 40 men working in the vicinity of potential rockslides, is the minister prepared to order a short-term work halt until his consultants can make a definitive report on the overall safety?

Hon. Mr. Bernier: Mr. Speaker, the report I have at the present time, as I said earlier, indicated there was no immediate danger. They're monitoring the whole movement very closely. It's been on for some considerable time now, but if there is any danger we will move in immediately.

Mr. Speaker: The member for Yorkview.

Mr. Reid: One further supplementary.

Mr. Speaker: No, I said that was the last supplementary.

The member for Yorkview.

SALES TAX ON VENDING-MACHINE GOODS

Mr. Young: I have a question of the Premier, Mr. Speaker. On Nov. 15, I raised with the Premier the matter of raising exemptions to the sales tax, particularly as they affected vending machines, and he was going to speak to the Treasurer and to the Minister of Consumer and Commercial Relations (Mr. Clement). Would the Premier give me an answer to that? Perhaps at the same time he could indicate whether, in view of the doubling of the sales tax revenue over the last two years, consideration is being given to lowering the rate of the sales tax in the next period of time.

Hon. Mr. Davis: Mr. Speaker, since the hon. member asked the question I've had two or three letters from people in the industry making the same presentation. I don't have any answer for the hon. member yet, but as soon as I do, I shall let him know or inform the House.

Mr. Speaker: The member for Waterloo North.

SALES TAX ON CHILDREN'S CLOTHING

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a question of the Minister of Revenue. Can the minister tell me how he justifies the collection of sales tax on children's clothing merely because they're sold in the sporting goods department of a department store? I speak of children's mitts, gloves, caps and scarves for skiing.

Hon. A. K. Meen (Minister of Revenue): I don't know what the mechanism would be for this, Mr. Speaker. If they are children's clothing of the normal type, they should be exempt. I think I would have to ask the member to give me some for-instances based on size and so forth as they fall under the regulations. There are certain ones that have special exemptions, as we know. I would like to have more particulars on it.

Mr. Good: A supplementary, Mr. Speaker.

Mr. Speaker: This will be the final supplementary.

Mr. Good: My understanding is that if an article is sold in the sporting goods department of a department store it's taxable as sporting equipment, even if it's only used to keep children warm. Would the minister look into that and give me his philosophy behind that if that's correct?

Hon. Mr. Meen: Yes, I will be pleased to, Mr. Speaker.

Mr. Speaker: The member for Cochrane South.

LEGAL AID PLAN

Mr. Ferrier: I have a question of the Attorney General, Mr. Speaker. Is the minister considering amending the Legal Aid Act or regulations to make it possible for groups and organizations, such as the Ontario Metis and Non-Status Indian Association, which need legal help from time to time but cannot afford it, to receive it through the legal aid system?

Hon. Mr. Welch: Mr. Speaker, as the hon. member knows, a special task force was established to consider the whole question of the workings of the legal aid plan. It is my understanding that I will be receiving a copy of that report very soon, and I would be in a much better position to respond specifically to the question that the member has directed to me, and indeed to suggest other directions of change once I have the benefit of the task force report; and I do expect that within the next few days.

Mr. Speaker: The member for Downsview.

OHC BRIBE CHARGES

Mr. Singer: Mr. Speaker, I have a question of the Minister of Housing. Can the Minister of Housing advise us, as a result of the police investigation into middle management of the Ontario Housing Corp., which he will recall came about because of the remarks made by Mr. Shepherd to Judge Waisberg at the commission investigating violence in the building industry, whether or not he is aware that several contractors submitted invoices to Ontario Housing for work that was not done and in fact, submitted invoices for more work than they did, and that some of these invoices were even paid?

Hon. Mr. Irvine: Mr. Speaker, I'm not aware of it.

Mr. Singer: By way of a supplementary, could the minister undertake to investigate, particularly to ascertain whether or not, in at least two instances, moneys were demanded back by one of his officials from one of these contractors, which money in fact was reimbursed and has since gone back through the books of Ontario Housing? Having ascertained that, what is he going to do about it?

Hon. Mr. Irvine: Mr. Speaker, I'll ascertain what the exact situation is.

Mr. Speaker: The hon. member for Sandwich-Riverside.

ELECTION POSTPONEMENT

Mr. Burr: I would like the Premier to clarify the answer he gave me a few moments ago. When, in the event of an emergency, polling may resume or be continued on the following day, Mr. Speaker, does this mean that all polls must be reopened or only some?

Hon. Mr. Davis: Mr. Speaker, I don't want to interpret the statutes because I might be in error. I would only say to the hon. member that a gentleman who is far more knowledgeable than myself—and I will introduce the hon. member to him—is sitting under the gallery; he, or somebody from the ministry, has been in touch, I assume, with the mayor. If, as soon as the question period is over, the member would like me to introduce him to Mr. Bell, I shall do so. He will give the member a much better opinion than I might here in the House.

Mr. Deans: Does that mean that all the bars will be closed until such time as voting is completed?

Hon. Mr. Davis: I don't know.

Hon. Mr. Welch: That is an emergency.

Mr. Speaker: The hon. member for Rainy River.

ANICINABE PARK OCCUPATION

Mr. Reid: I have a question of the Attorney General. Is it true that the province is going to be paying the extraordinary costs associated with the holding by the Indians of Anicinabe Park in Kenora this summer? Will the government be paying those extraordinary costs, particularly for overtime policing? Can the Attorney General give us an up-to-date version of what the situation is in regard to the park?

Hon. Mr. Welch: Mr. Speaker, I haven't got the details with me, but if the hon. member will allow I'll see that he gets particulars of that. Some of the extra costs borne by the municipality were in fact to be covered by the province, related specificially to the municipality's portion of those costs. I'll be very glad to get the hon. member further details.

Mr. Reid: A supplementary, if I may, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Reid: Realizing the extraordinary circumstances of what took place in Kenora this summer, could the minister give us his feelings about legitimizing the kind of association that was there in that park this summer, an association that really didn't represent anyone other than its own particular viewpoint?

Hon. Mr. Welch: Mr. Speaker, if the hon. member is asking for a full report on the handling of that particular situation, I'd be very glad to give one. I don't think there was any—to use the expression of the hon. member—legitimization of organizations. We were dealing with individual human beings. It was a highly charged period of time emotionally with respect to that particular matter. I think everything that was done was done in the best interests of the people of that community, and indeed, particularly the best interests of a number of young people who were in the park at the time.

I'm quite satisfied that the hon. member has access to all this information because his brother was being consulted daily by the federal minister with respect to that situation as well.

Mr. Speaker: The hon. member for High Park.

ONTARIO SECURITIES COMMISSION

Mr. Shulman: A question of the Minister of Consumer and Commercial Relations, Mr. Speaker: Will the minister override, or make them withdraw, the new policy announced by the Ontario Securities Commission in which they say they may cancel the registration or any registrant without a hearing if he has been charged—not convicted, but charged—with a criminal offence?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, I will discuss it right at the end of this question period with the chairman. I'm not aware that such a directive went forth and I will take it up with the chairman.

Mr. Shulman: It went forth.

Hon. Mr. Clement: I haven't seen it.

Mr. Renwick: It has.

Mr. Speaker: Any further questions? The member for Kitchener.

NORTH PICKERING

Mr. Breithaupt: Mr. Speaker, a question of the Minister of Housing: Can the minister provide a list of the appraisals done on the North Pickering farm properties—the second appraisals done by Mr. Ted Ozog? Can he advise us the number of properties that were so valued and the amount of fees that were paid?

Hon. Mr. Irvine: Yes, Mr. Speaker. It will take some while but I'll look into it.

Mr. Speaker: The hon. member for Windsor West.

LIQUOR REGULATIONS DURING WINDSOR ELECTIONS

Mr. Bounsall: A question of the Minister of Consumer and Commercial Relations, Mr. Speaker, in his capacity in connection with the Liquor Licence Board and its regulations and rules: As the municipal elections in Windsor are likely to run over two or three days, could he advise us on the state of openness of not only the drinking establishments in Windsor, but the Canadian National trains running into Windsor; would those trains be dry from Toronto all the way to Windsor?

Interjections by hon. members.

Hon. S. B. Handleman (Minister without Portfolio): Soberest city in Ontario.

Hon. Mr. Clement: Mr. Speaker, maybe I should take the hon. member for Windsor West over and introduce him to the legal expert underneath the gallery at the same time the Premier takes his colleague from Sandwich-Riverside.

Mr. R. F. Nixon: Is he referring to Mr. Wishart?

Hon. Mr. Clement: I would think, Mr. Speaker, that under the Liquor Licence Act, if municipal voting is being conducted then the bars must be closed in that area where the municipal election is being held, during the time the polling stations are open.

Insofar as the train is concerned, I wouldn't think that the same laws would apply. I stand subject to be corrected, but I don't think that Air Canada, if a flight is coming into Windsor, would discontinue serving alcoholic beverages because the flight happens to be stopping off at Windsor airport.

Insofar as the establishments in the area where the municipal elections are being held are concerned, yes, they would have to be closed during balloting hours.

Mr. Bounsall: Supplementary.

Mr. Speaker: One supplementary.

Mr. Bounsall: The minister is aware that the trains are dry today across the province. I just wonder where the dividing line comes in a municipality in which the election still continues.

Hon. Mr. Clement: Mr. Speaker, I am aware that the trains are dry today because municipal elections are generally being conducted across the entire province today, save and except where there have been acclamations or there is no balloting. I am directing my answer to the member's question as to what would happen tomorrow in the event that some of the polls must remain open because of the matters discussed here earlier in question period.

Mr. Speaker: The hon. member for Rainy River.

SAFEGUARDS FOR DANGEROUS SPORTS

Mr. Reid: Mr. Speaker, I have a question of the Minister of Community and Social Services. Does the minister have a task force looking at the whole range of sports in the Province of Ontario, particularly with a view to coming up with some kind of guidelines that could be laid down to regulate sports where there may be some danger to life, such as Lake Ontario swimming and that sort of thing?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, we haven't got an overall task force but, as the hon. member knows, in view of the tragedy of Neil McNeil I appointed a task force composed of representatives of our ministry, coaches, and other associations. That task force will report before the end of January with recommendations as to what safeguards and regulations should be established for future long-distance swims.

Mr. Speaker: The hon. member for York South.

CANADIAN KODAK DISPUTE

Mr. MacDonald: A question of the Minister of Labour: Is the minister in a position to give an up-to-date report on the state of negotiations at Kodak, particularly as it relates to his ministry's involvement?

Hon. Mr. MacBeth: Mr. Speaker, I don't have a report this afternoon on that. I know that some progress was made last week, thanks maybe to the minister from York South, who took a trip out there.

Mr. MacDonald: The minister from York South, thank you.

Hon. Mr. MacBeth: The member for York South. I know that he was interested in it, and I understand they made a little progress toward settlement last week. I should have checked on that this morning but I spent all my morning over at the Workmen's Compensation Board.

Mr. Speaker: The hon. member for Downsview.

AID TO JEWISH SCHOOLS

Mr. Singer: Mr. Speaker, I have a question of the Minister of Education. Is the Minister of Education now in a position to give us any further information about the possibility or probability or improbability of the integration of the Jewish parochial schools into the public school system in North York?

Hon. Mr. Wells: No, Mr. Speaker, I am not really in any position to give any further indications than what I mentioned to the hon.

member last time he asked the question. I think that the position of the Ministry of Education and my position have been indicated to the North York board. Really, in a nutshell, it means that if there were to be aid paid to the Jewish parochial schools they would, in fact, cease to be Jewish parochial schools and would become part of the North York educational system.

As I understand it, the North York board has a feasibility study it asked someone to do, which has just been made public today, and it is going to look into it. I don't know what is in that study, as I haven't seen it yet. Presumably after they have studied that and looked at those recommendations that Dr. Partlow has come up with, they will talk to us about it. But the basic principle is still there.

I don't think we are looking for a way to pay public tax money to private schools, but if there is a way of integrating them into the North York educational system, well then, naturally they would qualify for grants.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Motions.

Introduction of bills.

Orders of the day.

THIRD READING

The following bill was given third reading upon motion:

Bill 62, An Act to provide for an Ontario Building Code.

Clerk of the House: The 21st order, resuming the adjourned debate on the motion for second reading of Bill 155, An Act to incorporate the Algonquin Forestry Authority.

ALGONQUIN FORESTRY AUTHORITY ACT

(concluded)

Mr. Speaker: The hon. member for Thunder Bay may continue his remarks. I believe he had the floor when we were last considering this matter.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. A week has gone by since we last spoke about Bill 155, an Act to provide for the setting up of the Algonquin Forestry Authority. At the time I sat down at 10:30 p.m. last Monday evening, I was talking about the private woodland supply in the area which has come to be known as the 50-mile periphery outside of Algonquin Park. I was referring, Mr. Speaker, to that portion of the minister's opening statement that dealt particularly with private woodland supply, in which he stated that approximately 44 per cent of the 50-mile zone outside the park is presently held by private landowners —that is 56 per cent of the area outside the park is Crown land and 44 per cent is privately-owned land—and the entire area within the 50-mile periphery of the park was five to six times larger than the area within the park.

Now the area within the park is approximately 2,910 square miles; so the area that we are talking about on the periphery of the park and within a 50-mile radius of the park, is approximately 17,460 square miles. Now on the area that is in private hands—I want to quote from the minister's own statement at this point. And he says:

> 1. Only 10 per cent of woodlot owners stated that selling timber was the purpose of forest ownership.
>
> 2. Forty per cent of woodlot owners have never undertaken any kind of woodlot activity, such as planting, cutting, pruning, protecting, etc.
>
> 3. Sixty per cent of woodlot owners have never sold any forest products.

Now this, Mr. Speaker, flies in the face of statements made by the ministry over the years: that under the aegis of the Woodlands Improvement Act, great strides have been made by the Ministry of Natural Resources and formerly the old Department of Lands and Forests, to encourage greater utilization of an area in the province that does lend itself to the propagation, the regeneration and the production of hardwoods, which is traditionally the predominant species in that particular area. For the minister and officials of the ministry to be saying that they were making great strides in encouraging and in assisting private woodlot holders to become actively involved in regeneration, reforestation and making better use of land that is ideally suited for the reproduction of a forest crop; for them to be saying that on one hand and then using the opposite argument to state that, for the three reasons that I have just quoted, they don't lend themselves to this kind of production, is a clear admission that the Woodlands Improvement Act, indeed, hasn't worked to the extent the ministry and the minister would have us believe.

I have done a little bit of research, Mr. Speaker, since we spoke on this subject a week ago. I find this area has a much greater productive capacity if managed properly. It is an area where soil conditions and climatic conditions are much more conducive to the reproduction of a tree crop, whether it be conifers or the hardwood species that were spoken of and alluded to in the Pierpoint report. I find there has been severe neglect and complete indifference on behalf of the ministry, not only to encourage the owners of private lands within the 50-mile periphery of the park; not only have they failed to do that with regard to the 55 per cent of that land that is in private hands, but they have completely abdicated and neglected their responsibility for proper regeneration and reforestation to make the 56 per cent of the area within a 50-mile radius that is Crown land much more productive.

Just to give some idea of how productive a realistic forest management policy could be in that area, I want to refer to something that is being done in the Maritimes by that great free-enterpriser, K. C. Irving. I am told that he has many thousands of square miles of productive forest land under cultivation where he expects, and those who are in the industry say he is going to get, a complete crop rotation within 30 years as a result of proper forest management. He hasn't engaged the services of a forester in order to co-ordinate these efforts for a rotation of 30 years. He has hired a horticulturalist, somebody who really believes that growing trees as a cash crop is something that is a worthwhile undertaking. He hasn't hired a forester. He has hired somebody who is genuinely interested and concerned in getting the best strains possible in keeping with climatic and soil conditions.

It has been stated by people who are much more knowledgeable in this field than I am, that he will indeed get a 30-year rotation of crop as opposed to the 80- to 100-year rotation we get in our boreal forests of northern Ontario; and a little bit less than that, I suppose, in the St. Lawrence-Great Lakes area that we are concerned about when we are talking about the periphery of Algonquin Park.

As a result of developing the various strains and of spraying herbicides to guard against pestilence, and through a process of fertilization, there is every indication that he will get this kind of regeneration in much more profusion and much greater abundance than anything we have been able to accomplish here, whether it be in northern or southern Ontario.

What I am trying to say, Mr. Speaker, is that in relation to the area outside of Algonquin Park, which admittedly is five to six times greater than the 2,900 sq miles within the park, the present dilemma of the industry, which is dependent to a large extent on the timber and fibre values within the confines of the park, has come about as a result of complete neglect and their inability to carry on good forest management policies.

I had occasion to speak and to engage in dialogue in a panel discussion in the city of Thunder Bay just two weeks ago today, when Mr. Art Herridge appeared on a panel with other people who were knowledgeable in the business, including a representative of industry. Mr. Herridge had left the panel to catch a plane back to Toronto, but the spokesman for industry said that neither the industry nor the ministry ever attempted in a serious way to undertake proper forest management policies. Earlier, in answer to a question that was put to the panel: "Can we afford proper forest management?" I think Mr. Herridge was quoted as having said: "We can't afford not to undertake proper forest management."

Mr. Speaker, when you get the deputy minister making a statement like that—which is one I heartily concur in—and then you get a spokesman from industry saying, we've never really tried it in a serious way, so how do we know whether we can afford it and how do we know whether it's going to bear fruit or not; when you get somebody who is a major spokesman for the forest products industry in the Province of Ontario admitting that we've never attempted proper forest management in a serious way, it is a condemnation, of not only the ministry but the industry itself. In many jurisdictions the industry takes its responsibility for renewing the crop much more seriously, making it, in fact, a rotation crop that can be sustained on an annual basis forever and a day if we talk about production at the level of what has come to be known as the allowable cut on a sustained yield basis.

All of these things we're talking about with regard to the setting up of the Algonquin Forestry Authority are made necessary by a lack of commitment of either the industry or the ministry to ensure that our forest industry and our forest resources are maintained at a realistic allowable cut on a sustained yield basis. Since this problem came to the fore, with the unveiling of the

Pierpoint report, they have introduced new dimensions into the debate.

When my leader led off last Monday in this debate, he alluded to the terminology that is used quite regularly in the report and which has come up from time to time in this debate, that is available cut. This is a term I have never seen before any time I have undertaken to study the forest industry. Had it been something that was a valid yardstick, a valid term to be used generally when speaking about our renewable resources in the forest industry, I think I would have come across it. This is the first time, to my knowledge, that anybody has ever tried to throw a smoke-screen over the inventory in the forest products industry.

It suggests that available cut is about 30 per cent of the allowable cut, when one deducts the limbs, the tops and the stumps. This is the first time I've ever heard this new dimension enter into any dialogue, whether it be with the ministry or whether it be with the industry or whether it be with anybody from any of our forestry schools who was academically inclined and was talking about proper forest management. I'm wondering at this point in our history why it was necessary for Mr. Pierpoint to allude to a set of terms completely foreign and alien to all of the discussions that have gone on before. I think this makes all of the data in the Pierpoint report suspect from the very beginning.

I am wondering, Mr. Speaker, whether or not Mr. Pierpoint and people in the timber branch felt if they brought in a new dimension, some new terminology, the opposition would just say "Oh, we have come a long way. As a result of the operational cruises and as a result of the introduction of this new terminology the ministry and the industry have left us far behind, and maybe we had better not be too critical of the kind of figures that are used, either by the ministry or those contained in or quoted by the ministry from the Pierpoint report."

It borders on dishonesty, Mr. Speaker, when things happen in this way. I have heard the minister in many speeches across the province, and I have heard his predecessor, the member for Cochrane North (Mr. Brunelle) when he held this portfolio; and never once have I ever heard anybody allude to the available cut. It is common knowledge they don't use tree stumps in the production of wood fibre; it is common knowledge that they don't use limbs in the production of fibre; it is common knowledge that they don't use tops. So why does the minister introduce something that is completely irrelevant into a debate of this kind? I am saying it borders on dishonesty to suggest that we would be so naive that they would think that by the introduction of this new dimension we were going to be given a snow job. I think it is an insult to the intelligence and the integrity of the opposition for government members to think that they would get away with that kind of gobbledygook.

The Ontario Professional Foresters Association made a submission to the Ministry of Natural Resources in 1972, imploring the ministry, in co-operation with the private land owners, particularly in southern Ontario —where those lands are much more productive for those species that we are particularly concerned about; the hard maple, the yellow birch, and the conifer, particularly white pine—to embark upon a programme that would provide for a much greater production of wood fibre. Not only did they do this—those whom the minister listens to and has an ongoing dialogue with in this particular field —but the Ontario Economic Council suggested three or four years ago that the ministry undertake this kind of thing. Had these admonitions been heeded—even much earlier than that, when it was so obvious that this particular phase of the forest industry had been neglected—I think we would be in a position now where we could see the light of day and we could, in a realistic way, phase out the multiple-use concept in Algonquin Park.

After listening to the parliamentary assistant, the hon. member for Parry Sound (Mr. Maeck), after having listened to the member for Victoria-Haliburton (Mr. R. G. Hodgson), after having listened to the member for Hastings (Mr. Rollins) and to the member for Renfrew South (Mr. Yakabuski)—and I presume they know what they are talking about when they are talking about the availability of wood fibre in the area they have responsibility for—and after hearing them say unequivocally that there isn't sufficient fibre outside of the park to sustain the industries within the periphery of the park, I realize that when they say that it is a clear indication and a clear admission that either there isn't sufficient fibre or the minister hasn't been keeping a realistic inventory as to the various species and the various age classes that are available to meet the needs of the many industries that we are talking about on the periphery of the park.

The minister made available a directory of primary wood-using industries in Ontario in 1973, and I'm told that there are some 140 industries on the periphery of the park; some

of them one- and two-man, very small operations; and some of them quite major operations. I'm suggesting to the minister through you, Mr. Speaker, that if that is in fact the case, what has he been doing for the last 33 years? Does he feel he had so much cushion and so much elbow room that he could afford to neglect the regeneration and the repropagation of those species that are so badly needed by those industries of which he speaks?

I think if he had undertaken a proper programme of forest management we could be standing here, on Dec. 2, 1974, realistically looking at a phase-out of timber operations in Algonquin Park so that he wouldn't be violating those values which people hold so near and dear.

I'm not suggesting, nor is my party suggesting, that starting tomorrow morning at 8 o'clock the minister should cut off all timber operations in Algonquin Park. I think it could have been so if he had accepted the responsibility that was given to him for proper forest management rather than forest mining or outright forest exploitation. I think that we could have moved now, had he started early enough.

But the game isn't lost yet. I think it is realistic for he and his ministry, and those people who are knowledgeable in forestry, to make the commitment that at some time in the future—and I don't know what that time is—he could say: "We can cease the mining of our timber resources in Algonquin Park." I think it's completely realistic that he do that.

How is he going to accomplish this? Well in many of the ways I have suggested since I have had the pleasure and the privilege of speaking about proper forest management as the critic for the New Democratic Party in the debates in this Legislature. It's all on the record. I have tried to make a comparison of what has gone on in other areas where they are genuinely interested in and genuinely concerned about proper forest management and are using this resource in an agricultural sense rather than mining it and then just hoping that, in some fashion, nature will renew itself in the kinds of species that the industries have come to expect will be available.

That might have been all right many years ago when we were using 10, 20, 30 and, within the last three or four years, up to 50 per cent of the available fibre, or the available —or rather allowable cut, not available cut— on a sustained-yield basis. In the past the minister has always had a 40, 50 or 60 per cent cushion within which he could make all the mistakes he wanted to make. With few exceptions, he was able to get away with it and was able to trade licences with prime licence holders to meet the needs of people who were engaged in producing specialty products. He had that elbow room in the past, in southern Ontario as well as northern Ontario. By his own admission, he doesn't have the elbow room any more and the mistakes and the errors of commission and omission of the past are coming back to haunt him.

To suggest that out of a complement in his timber branch of something in the neighbourhood of 700 he has 192 professional foresters, and that is a realistic complement for the monitoring of what's going on in the forest industry in the Province of Ontario for the planning and the scrutiny of management plans submitted to his ministry by the prime licence holders and for the proper management of the Crown management units, is no longer good enough; it isn't good enough because he doesn't have the elbow room that he enjoyed even four or five years ago.

I don't know whether it's a matter of budgetary constraints and that really he would like to double the complement of foresters he has on his staff; I don't know whether it's because they are so busy acting as administrators, so busy pushing paper in the various offices of the timber branch, not only here at Queen's Park but out in the regions and in the districts; but I'm telling the minister—and the people in the ministry themselves will tell him—that he doesn't enjoy the elbow room he once had.

It is the minister, at this point in our history, who is the one who has to stop the buck-passing. He is the one who has to establish some priorities. He is the one who has to sit down with his cabinet colleagues and insist he get the type of personnel, a sufficient number of people and a commitment for the expenditure of a realistic number of dollars, in order to get back into the ball game.

By his own admission, he is only reforesting about one-third of the areas that are being harvested every year. Sure one can make the claim that nature helps; and nature, by its usual intervention, might reforest in a natural way up to one-third of the remaining two-thirds. But when we harvest millions and millions of acres, and a third of those go untended and grow up in weed species or undesirable species, to me and to many people who are concerned, we feel this isn't proper forest management.

Now the minister, Mr. Speaker, said his ministry was going to undertake a realistic

forest management programme, a realistic programme of silviculture and regeneration. This was announced about two years ago. We thought, at long last, this minister and this ministry was really coming to grips with the very major programme of proper forest management in the Province of Ontario.

We find the commitment during the present fiscal year is an additional $2.1-million for this programme. I'm sure if the minister is honest, he'll say that this doesn't much more than keep up with the inflationary trend for goods, supplies, services, wages and administration in the timber branch at the present time. I really don't see any evidence, Mr. Speaker, that there is any commitment, any long-range commitment, to come to grips with those vast areas throughout the province that are going untended; where there is no regeneration and where we are not getting the kind of production that we are going to need in order to sustain ourselves and our relative position in world markets.

This is the situation in all of the province, but more particularly in the area that we are talking about and the area that's alluded to in Bill 155.

It has been stated, Mr. Speaker, that there will be 3,100 jobs lost if logging is phased out in Algonquin Park. I don't think we need lose one job in Algonquin Park. I don't buy all of the arguments that were contained in the summation that was given by my leader last Monday, but there is a lot of truth in the statistical analysis that he made in doing his critique of the Pierpoint report.

I don't accept for one minute all of the conventional wisdoms that are contained in the Pierpoint report. I suggest it was not possible, in the time allowed, to have done a realistic operational cruise on an area that contains 17,460 square miles, which is the area within the 50-mile periphery of the park. In saying they have done that in a few short weeks this summer, and have come up with all of the age classes and all of the species that are available, I think the ministry is just trying to give us a snow job. I know when I asked for an inventory of a particular section of prime licence holdings in northern Ontario, they don't get me those answers in a few short weeks over the course of a summer to justify the introduction of a bill such as this; but really, it takes a long time and a lot of hard work; a lot of flying, a lot of ground analysis, a lot of cutting, a lot of sampling.

The minister is not kidding me when he suggests that he can do a realistic analysis of the groups—the dominant species, age classes and all of this—just by a cursory examination as is contained in the Pierpoint report.

I suppose, Mr. Speaker, I could go back and make some comments on the interventions into this debate by various members on the government side. Maybe I should cover just one or two just to indicate how serious this situation is.

I want to refer to page 5690 of Hansard when the hon. member for Victoria-Haliburton had the floor. There were numerous interjections when my leader said that in his opinion, based on his analysis and his breakdown of the Pierpoint report, there was sufficient timber outside the park to make up for any values that were cut inside the park. Of course quite naturally, the hon. member for Victoria-Haliburton denied that and said there wasn't. And, to quote the member he said:

> Name the area; tell us where the resource is.
>
> Mr. Lewis: Ask the minister to name it, he knows where it is.
>
> Mr. R. G. Hodgson: He's going to have a hard time naming it.

Now what he's saying is that he—the member for Victoria-Haliburton—questions even the figures contained in the Pierpoint report. Because he goes on to say:

> I want to know where it is. And I hope the minister will tell me, because I don't know where it is.

He goes on to say further:

> I agree with the member; but I want to ask him this: How much do they know about their own resources?

And he's referring to the Minister of Natural Resources (Mr. Bernier) and how much he knows about the inventory, the various age classes and the various species contained within that area that we are referring to within a 50 mile periphery of the park.

He says:

> All right, what if I do question that? I'd like to know where all this timber resource is.

He says further:

> I'm telling the members that I don't know of any companies—and I'm associated with most of the people who are in the industry through safety work, I talk to them two or three times a year, I hear them asking for more timber—and I don't know where this timber is. I want the Crown to tell us; because I don't think there is enough for the existing companies in this 50-mile radius, let alone those companies which operate in Algonquin.

He also went on to say, Mr. Speaker, that within a matter of 15 to 20 years the yellow birch species, because of some problem of die-back or something like that, will be non-existent.

The member for Parry Sound said that also. He said that we might as well cut it because it's not going to be there. He said—and I quote the hon. member for Parry Sound:

> There will be no yellow birch left in 15 or 20 years anyway, because they are all dying, and that's the reason they should be cut now. As far as I am concerned, if we are going to allow trees to die, man may as well make use of the resources as have them die.

You know, that is a condemnation of this ministry. If there isn't a viable source of this species in the Province of Ontario, it is a clear indication that either the minister doesn't know what is going on in the forests or he is up against a problem his biologists and foresters can't solve, and he is willing to let one of the prime species that is supposedly so badly needed, particularly by the veneer industries, disappear on the periphery of the park.

When the minister gets up and replies, perhaps he will say that some of the things being said by his colleagues just aren't in keeping with the facts. I hope he will say that.

I have talked to ministry foresters. I have also talked to foresters associated with the industry; and while they don't know the answers to all of the problems they do know the answers of many of them; and given the opportunity they would like to prove to this ministry that they can engage in proper forest management, given the time, the money, the resources and a commitment on behalf of this ministry, which is wholly and solely responsible for regeneration and proper forest management. It is no longer the responsibility of industry, although I think they should have some input too. But the minister has relieved them of that and has taken on the sole responsibility for proper forest management in the Province of Ontario.

Frankly, I think the minister has fumbled the ball. If he doesn't know what the problems are, if his ministry hasn't the ability to solve many of the problems in the forest industry today, I think he should be frank enough to stand up and say so. But I don't believe that's the case at all; I don't believe it for one minute. We have a lot of dedicated people working in this ministry and, if given an opportunity to undertake proper forest management, they would do so.

Hon. L. Bernier (Minister of Natural Resources): The member's leader didn't say that.

Mr. Stokes: I am saying it.

Hon. Mr. Bernier: He said they were corrupt.

Mr. Stokes: No, no. He apologized for having used strong language.

Hon. Mr. Bernier: It's on the record.

Mr. Stokes: He apologized for having used strong language. I don't believe for one minute that the people in this ministry are corrupt. I think they have been negligent in the absence of a proper forest management programme in the province at the present time. And I think if the minister is honest about the whole thing, I think he will say, on reflection, that his ministry has been negligent.

When I said he had all kinds of elbow room in the past, that was the case; he could afford, I suppose, to be a little less vigilant in the past. I don't think he can do that now; I think we have got to get back into the ball game. I think that if the minister does the things we have been suggesting, it will be possible over a number of years—and I am not going to play the numbers game; I am not going to say five, eight or 10 years—to get out of the park and make this piece of legislation obsolete.

I think one good thing can be said; if we are going to continue to exploit the timber values in Algonquin Park, I would like to see it operated, controlled, supervised and managed by somebody within the Ministry of Natural Resources. I really believe that would be a step in the right direction. If the minister set down a set of guidelines for the 18 licence holders in the park and said: "Okay, go to it. Cut your 17 million cu ft, but do it in such a way that you don't upset the environmentalists and those seeking a wilderness experience," I don't believe for one minute that they would do it in a fashion that would be acceptable. I don't think even the people within this ministry would do it in a manner that is completely acceptable.

All right. The minister had a problem; he had to effect a compromise, and this is what we have got now. But I really believe, Mr. Speaker, just as sure as I am standing here, had there been proper forest management in the past, I could be standing here and saying right now: "You can get out of the park because you have done your job on the periphery of the park." But I can't say that. I have to say, because of the neglect and complete indifference of both the industry and this ministry to husband, to manage and to farm those areas within a 50-mile periphery of the park, the ministry finds it necessary to violate the values that are inside the park.

I am saying right now, Mr. Speaker, through you to the minister and to all the

people in this timber branch under the gallery, if the ministry undertakes a realistic programme of silviculture, reforestation, regeneration and proper forest management, it will see the day it could walk out of the park and say: "It is no longer necessary for us to violate the values that we have in the park at the present time."

They have done it in all of the national parks right across the country with the exception of one, not only under Liberal administrations in Ottawa but Conservative administrations in Ottawa. They haven't found it necessary to violate those values in those national parks. I don't see any reason why the minister can't make a commitment when he is winding up this debate to say that we can see daylight and we can prove not only to the Algonquin Wildlands League but to everybody who would like to think so that there are 2,910 square miles of good recreational land they aren't going to have to share with pinewood users in the Province of Ontario.

I think the ministry can do it in a fashion that can ensure not one job will be lost. It can make better use of that area that is 17,460 square miles on the periphery of the park. If the ministry manages that in a way it is capable of managing, with good husbandry and in a way that horticulturalist would do it and not somebody that's using mechanized logging, I think that not too many years from now we can stand up, or somebody who is here in our stead can stand up in this Legislature and say: "Thank heavens they had the foresight to do something about it." Not only the people in southern Ontario, but the literally millions and millions of people who will be using that park in the next 40, 50 or 60 years will be able to say: "Thank heavens they had the foresight and they had the courage to do something about it."

That's what should have been done 30 or 40 years ago. It wasn't, but the game isn't lost yet. If there is a serious commitment to proper forest management in the Province of Ontario, let's start today, so that maybe five, 10 or 15 years from now we can say: "We no longer need an Algonquin Forestry Authority. We have got all of the requirements we need outside of the park." If the minister does that he will have done something worthwhile.

Mr. Speaker: Does any other hon. member wish to take part in the debate? The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): I wish to speak to this Act to incorporate the Algonquin Forestry Authority, Mr. Speaker, primarily to correct some of the impressions that may have been left by the member for Renfrew South in his remarks on it last week. He was implying he had met with various workers, various loggers in the area of Algonquin Park and they were convinced we were not concerned with the jobs of loggers in Algonquin Park.

In fact, it seems he did nothing to change this attitude among the loggers. I want to make it very clear, Mr. Speaker, that we are most concerned with the jobs of loggers in Algonquin Park and do not want a single one of those loggers to become unemployed or even suffer a reduction in his work. We are just as equally concerned with all the employees engaged in the woodworking industries that flow as a result of that logging, the furniture industries and so on.

We would support this bill, Mr. Speaker, if this was a bill which, as well as establishing the authority, had as one of its objectives and principles the phasing out as far as possible of the logging in this provincial park and replacing the Algonquin Park cut by cutting in the vicinity around the park. The detailed dissection of the Pierpoint report by the hon. member for Scarborough West (Mr. Lewis) was presented in this House last week, in which, from those figures, he was able to show to his satisfaction, that sufficient cut of all kinds was, in fact, available in the immediate vicinity of that park. There may well be a continued discussion and dialogue among various people about how one can interpret the Pierpoint report in terms of whether there is sufficient material outside the park to replace that material inside the park. We're quite interested in the minister's response to that.

But one of the objectives and principles embodied in this bill should have been for the Algonquin Forestry Authority to replace as far as possible all that logging that's occurring in the park, or as much of it as possible, in another area outside that park. Their thorough search may reveal that one would not be able to replace it all. One might find that one could only replace two-thirds of it, or one-half. But it should be given to that forestry authority as their responsibility to make the surveys and to make the shifts as far as possible outside of that park.

It may not be possible to eliminate it all, but as one of their directives they should be directed to eliminate it as far as possible. By elimination to an area outside the park, we

are saying by so doing they would protect the jobs of each one of those loggers. They simply do not close down an operation of logging in that park until they have found an area which would provide equivalent employment outside the park to all those loggers formerly engaged in that park, and that they should make that shift so that there was no loss of source of supply to all those persons engaged in the various industries flowing from the timber provided from the cut. This is what our stand is on this bill.

The leader of our party, by looking very carefully at the figures in the Pierpoint report, can convince himself that all of it can be replaced. This may not be the case. But the principle of removing it from this park as far and to the maximum amount possible, without the loss of one single logging job or the loss of one single job in the woodworking industries that flow from it, is the one that this party is interested in.

Proper forest management will require that there would always be some logging in that park. Removal of the storm-damaged trees and so on, as the hon. member for Renfrew South referred to it in one specific example, would be a quite appropriate, and in fact needed logging operation in that park, with the construction of whatever forest trails and forest roads were necessary to get to those storm-damaged areas. That would be a proper function for continued logging in that park.

In fact, proper forest management, the manicuring and culling and removal of that storm-damaged material—even if all normal commercial logging operations could be phased out of that park—would probably be sufficient to keep all those loggers in the town of Kiosk, for example, who are solely related to and dependent upon logging in the park, fully occupied in that task.

Mr. Speaker, I am no forester myself. I know very little about the forest industry; I am willing to learn a lot more about the forest industry. But I want to make it very clear that our party has never said the government should get rid of jobs in the logging industry, or in any other associated industry with respect to this Algonquin Park authority. One of their jobs must be the phasing out of logging operations, the replacement of logging operations in the park by logging operations in the vicinity, so that the workers employed in the park need not travel much further, if any greater distance, to their place of employment than they do at the present time. And, also, that there be not one worker displaced in the commercially-related industries depending upon the timber. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Algoma.

Mr. B. Gilbertson (Algoma): Mr. Speaker, I would like to make a few comments. From experience, I know that some of the things that we have heard are really not realistic. It is pretty good to have a theory and try to tell the loggers and the lumbering people just how to do things and where to cut logs and where not to cut logs.

Mr. W. Ferrier (Cochrane South): The ministry is doing that all the time.

Mr. Gilbertson: As a lumbering operator, there is something that I don't agree with as far as the policy of the government is concerned. It is not very popular sometimes, to get up and disagree with the policy of the government, but I know that policies can be changed from time to time, as warranted. I can't agree with a policy where you can't go within 500 ft of a lake. I flew down this morning and the visibility was quite good. I was looking at all the lakes there are; and then the ministry stipulates you can't touch timber at all 500 ft from a lake.

Mr. Speaker, I think this is something we should take a second look at. These trees have taken maybe 100 to 150 years to grow; birch veneer, for instance. They are not meant in most cases just to grow up for a naturalist to come along and say, "Well, this is beautiful, we are not going to touch this."

I believe in having reserve areas where you can have some virgin timber standing, but I also think that this timber was grown for a purpose, and we should cut it if we need it. I think it is the same as the farmer putting in a crop of corn or a field of grain. When it gets to maturity then it should be cut, if we need it.

I believe in selective logging. I think we should cut down to a certain diameter, and then not go any lower than that. We know how many years it takes for a tree to grow to a certain size. I think we should try and stick by such a policy. I'm sure it could be the policy of the government to say, "Well, all right, you can cut to a certain dimension—whether it is 14 in. or whether it is 12 in.

For a tree to grow to be 12 in. in diameter will probably take 100 years, especially in the area where I come from. Further north, it takes quite a bit longer.

I think it is wrong when we try to implement legislation that will change the timber

regulations for those people who have grown up in the woods. It is their bread and butter.

It is easy for people who come from a big city, say Metro Toronto, to view things differently. Some people are just interested in taking a little walk through the forest from time to time to watch the birds and see the animals, but they are not dependent on the forest. For others, it is their bread and butter.

I feel that as far as Algonquin Park is concerned there is an awful lot of acreage in there. When I think of some of the opposition members, with due respect for their knowledge, and what they've said about logging and lumbering, I think they're way out in left field in some respects.

Mr. R. F. Nixon (Leader of the Opposition): At least you say it better than the member for Renfrew South (Mr. Yakabuski).

Mr. Ferrier: He even wants to mine in provincial parks.

Mr. Gilbertson: If there's gold in them thar hills and we need it, let's dig it out and use it.

Mr. R. F. Nixon: Mine it.

Mr. Stokes: That's not even government policy.

Mr. R. F. Nixon: How much virgin timber do they have on St. Joseph's Island?

Mr. Speaker: Order, please.

Mr. Gilbertson: There are times when I think a member of this Legislature can get up and express his views.

Mr. R. F. Nixon: Certainly.

Mr. Gilbertson: And I wouldn't be a bit surprised if the minister is listening to me very intently and is saying: "That fellow maybe has got something on the ball. Let's just look at our legislation."

Mr. R. F. Nixon: Oh, I wouldn't go that far.

Mr. L. A. Braithwaite (Etobicoke): He is smiling, too.

Hon. Mr. Bernier: I always am.

Mr. G. Samis (Stormont): Keep it up.

Mr. Gilbertson: Mr. Speaker, it might be deviating from the bill just a little bit, but—

Mr. Stokes: What dimensions did the member cut over the weekend?

Mr. Gilbertson: —I think of Lake Superior Provincial Park, north of Sault Ste. Marie, for instance. I've had lumbering operators come to me and complain: "They want us to go up on those bluffs where there isn't any timber. They give us permission to go up there and cut but not to do down in the ravines close to the rivers and so forth. That's where you find the good timber." One can't blame the loggers and lumbering operators for wanting to get in there and cut where there is timber.

Mr. R. F. Nixon: No, one can't blame them.

Mr. Stokes: The member is unreal.

Mr. Gilbertson: I would say, Mr. Speaker, to the ministry that it should do selective logging and go right to the lakes. There might be a nice big tree that eventually is going to be falling over into that lake and then there would be a real scream about letting those beautiful trees fall over.

Mr. Stokes: That's contrary to government policy, too.

Mr. F. Young (Yorkview): The member is getting into trouble now.

Mr. Gilbertson: Let us utilize the forest which God has created and given us. In many cases if you do selective logging you don't have to replant. There is very little replanting done in hardwood, as I understand it; it's mostly in the softwood species. But let's do selective logging and take care of those smaller trees. We have millions of them up in the area where I come from. There's beautiful maple, which is very small and hard and would make wonderful material for furniture and different commodities.

Mr. R. F. Nixon: All the good stuff was cut out long ago.

Mr. Ferrier: There is an alternative to Algonquin Park, then.

Mr. Gilbertson: Another thing I would like to say is that one thing we should stress more is to process our material further. Instead of just making one plank out of it and drying it and sending it wherever it's needed—down south, or across the border or wherever it is—we could cut dimensioned stock and process it further, making components for furniture and different things like that which are needed. That would take up a lot of the labour force.

Mr. Ferrier: The minister is turning a deaf ear to that suggestion, though.

Hon. Mr. Bernier: These guys want to cut out the jobs.

Mr. Gilbertson: Do we really know how much resources we have?

Mr. Stokes: That is a good question.

Mr. R. F. Nixon: That is a good question.

Mr. Young: That is what we have been asking.

Mr. Gilbertson: Do we know how fast we are utilizing it, how fast it's disappearing, and whether it is going to be replaced? Is logging and lumbering just going to phase out because it isn't economically feasible to operate any more?

Mr. Stokes: What about those millions of trees the member was just talking about?

Mr. Speaker: I wonder if the hon. member would redirect his comments to the principle of this bill, please.

Mr. Gilbertson: All right, Mr. Speaker. I'll try to do the best I can. I was just really speaking from practical experience.

Mr. L. Maeck (Parry Sound): If he does he'll be the first one who has.

Mr. Gilbertson: I haven't gone into all the details but I notice the opposition members sometimes get way out and don't stick to the principle of the bill—

Mr. Maeck: Quite right.

Hon. A. Grossman (Provincial Secretary for Resources Development): You are discriminating, Mr. Speaker.

Mr. Gilbertson: —but I would say that we need to have a good look at how much we utilize, how many sawmills we have operating, and what area they cover. For instance, if a sawmill puts out 50 million feet a year, how much of an area does it take to keep that sawmill going? I'm sure this is something that we need to have a good look at.

I think we have some very good foresters. They have done a pretty good job over the years but one can always improve. One is always learning. When Ford made the Model T car, it wasn't like it is today. But through experience over the years—and I think that is the same way with our logging policy—we are learning. Naturally, the ones who are going to get most criticized for it are the people in the government. I feel, generally speaking, the government has done a pretty good job over the years. I'm sure that they are having a good look at all the pros and cons of the—

Mr. Ferrier: They are not processing that timber up in the member's area though.

Mr. Gilbertson: —Algonquin Park situation. I am sure that with the able minister and his staff we will come up with a solution.

Mr. R. F. Nixon: Listen, the member has a job. He is third assistant deputy whip.

Mr. Gilbertson: It may not be 100 per cent, but it will be an improvement. Thank you, Mr. Speaker.

Mr. Speaker: The hon. minister.

Hon. Mr. Bernier: Thank you, Mr. Speaker. In winding up this particular debate on the setting up of the Algonquin Forestry Authority, it is fair to say during the course of the past several hours you've been literally bombarded, inundated and swamped with figures, percentages and statistics, all relating to Algonquin Park. I think there has been a lot of confusion by the members of the opposition.

Hon. Mr. Grossman: So what is new?

Hon. Mr. Bernier: They have chosen on many instances to ignore some of the information we've provided them with. They have twisted some of the information we've given them in good faith.

You'll note, Mr. Speaker, when the bill was introduced, I knew that certain members of the opposition were concerned about the availability of wood within a 50-mile zone of Algonquin Park. In our ministry we took it upon ourselves to do a very in-depth study; we took a very close look at the situation. On tabling that bill on the Thursday, I gave the members of the opposition a copy of the Peirpoint report as a courtesy, saying, "Here, this is the statistical information. These are the facts."

We went on with the debate and second reading on the following Monday, so that the opposition did have an opportunity to look into all the points. Rather than my tabling it on the Monday afternoon when we started the debate, I tabled it with the bill four or five days earlier. It was a courtesy and we were criticized for it. We were criticized that we didn't do it weeks and months earlier.

Mr. Ferrier: The ministry people were going to meet with the opposition but didn't.

Hon. Mr. B. Bernier: With all due respect to the members who were expressing a very sincere interest and a real concern for Algon-

quin Park, I thought it was the thing to do. But I am sorry to say, Mr. Speaker, that information was not taken in the method it was given.

Hon. Mr. Grossman: It wasn't appreciated.

Hon. Mr. Bernier: It was distorted and twisted and in fact, made very, very confusing.

Mr. Ferrier: The minister just took that position to justify his stand.

Hon. Mr. Bernier: In fact, I would have to say to you, Mr. Speaker, that last Monday afternoon when the leader of the New Democratic Party rose and took off with some great words of what he thought were wisdom—

Mr. R. F. Nixon: He said the ministry was corrupt.

Hon. Mr. Bernier: Yes, I am going to get to that point in a minute. I think if you will read Hansard, Mr. Speaker, you will find out he was so confused and so mixed up he had to call a press conference two days later to try to straighten out the situation.

Mr. J. A. Renwick (Riverdale): That is not correct and the minister knows it. That is gratuitous.

Hon. Mr. Bernier: Because he didn't know what he was talking about, he didn't interpret it right. And he's still confused.

Mr. Stokes: I hope the minister will tell us why Pierpoint used the 30 per cent factor.

Mr. Renwick: The report was self-serving, and the minister knows it.

Mr. Speaker: Order, please, the hon. minister has the floor.

Hon. Mr. Bernier: Mr. Speaker, I gave the members opposite the courtesy of listening to them intently and I would hope they would do the same for me.

Mr. Renwick: He is abusing the privileges of the House.

Hon. Mr. Grossman: Oh come on! The member for Riverdale was talking on his feet as he was walking in.

Mr. Renwick: Justify the bill.

Hon. Mr. Bernier: Anyway, Mr. Speaker, during the debate last Monday the leader of the New Democratic Party stood up, twisted the facts and distorted all the issues in the Pierpoint report. But he took off after the members of my ministry.

Mr. Renwick: Mr. Speaker, are you going to let him get away with that?

An hon. member: Yes.

Hon. Mr. Bernier: He called them corrupt—

Mr. Renwick: Mr. Speaker, on a point of order—

Hon. Mr. Bernier: He called them dishonest—

Mr. Renwick: Mr. Speaker, on a point of order—will the minister sit down?

Some hon. members: Oh, oh.

Mr. Ferrier: A point of order takes precedence over anything else.

Hon. Mr. Bernier: Has the Speaker recognized you?

Mr. Speaker: The hon. member for Riverdale wants to raise a point of order.

An hon. member: Yes, this will be a good one.

Mr. Renwick: The point of order is that no minister of the Crown is entitled to call the leader of the New Democratic Party or any other member a person who has distorted and misled, becauses what the minister is really saying is that my leader was gratuitously twisting what the minister had to say. Now, is the minister going to say that or not?

Mr. R. F. Nixon: Well, the leader called the minister corrupt. What about that corruption?

Mr. Ferrier: He withdrew it.

Interjections by hon. members.

Mr. Speaker: I do not see that as a point of order. The Chair did not really interpret it the same as the hon. member for Riverdale.

Mr. O. F. Villeneuve (Glengarry): A pretty good performance by the member for Riverdale.

Mr. Speaker: Will the hon. minister continue?

Hon. Mr. Bernier: Mr. Speaker, the record will show how viciously the leader of the New Democratic Party took after the members of my staff and myself personally. In fact, at that point in time I thought to my-

self, we should have television in the Legislature.

Mr. R. F. Nixon: That was the time when the minister should have got up on his feet and defended his staff.

Hon. Mr. Bernier: I will defend them; we have the facts here to defend them. But I thought then we should have television in this Legislature to let the people of the Province of Ontario see how this man acts and hear what he says in the Legislature.

Mr. R. F. Nixon: It was a pretty effective speech.

Mr. Renwick: That's right.

Hon. Mr. Bernier: I think it should go right across this province—

Mr. Renwick: That's exactly what we want.

Hon. Mr. Bernier: —and then the people would have a better idea of the type of leader—

Mr. Renwick: We have been the ones advocating television in the Legislature. It has been the government that has been refusing it.

Mr. Speaker: Order, please. The hon. minister will continue debating second reading.

Mr. Renwick: We will take our chances; don't worry.

Hon. Mr. Bernier: Anyway, Mr. Speaker, the hon. member did apologize for those remarks, for which I thank him, because I do have a great respect for the members of my staff. They do a terrific job, as I'm sure all members of the House will agree, in dealing with the renewable and non-renewable resources of this province. Certainly the Pierpoint report is just one of the many reports of statistical information that have been brought out to clarify the misunderstandings and to bring the issue to a point.

Mr. Renwick: It is one of the few that the minister has ever let see the light of day.

Hon. Mr. Bernier: Mr. Speaker, during the last week I have had the opportunity of going through Hansard, and I have pulled together replies to the various questions, many of which were repeated by the members who took a very active part in the debate. At this time I might express my appreciation to the Conservative members from the Algonquin region, who are very knowledgeable about the situation as it relates to Algonquin Park and have a very sincere concern for the area and, of course, for those 3,100 jobs.

Mr. Stokes: I hope the minister will answer their questions. They didn't know where the timber was going to come from.

Hon. Mr. Bernier: Having heard from those men who are so close to the scene, Mr. Speaker, I think you would have to say that here are people who are on top of the facts, who know the issue and who know what is good for their area and for the Province of Ontario. For those comments, I would like to express my thanks to all of them.

Mr. Speaker, you might say that setting up the Algonquin Forestry Authority is a three-pronged initiative. First, of course, it deals with the master plan in terms of recreation and the way that the park will be managed to provide for present and future use. In addition, as a second point, we established the provincial parks council, which provides a mechanism to deal effectively with changing public needs and values as we move ahead in time. The final act was the setting up of the Forestry Authority itself, which provides for the health of the forest and the economic viability of the region, which will be and must be maintained.

I'd now like to deal with the very specific points that were brought up. Many members referred to the desire to have the entire 3,000 sq miles of the park reserved for recreation. This was a very strong point put forward by the leader of the Liberal Party and by many members of the New Democratic Party.

I would point out, Mr. Speaker, that the master plan provides for increased use and for the projected demand that will be put on the park as it relates to recreation. The recreational needs of people and the special natural qualities were uppermost in the minds of the planners when they set up zoning in the park —and this is the first provincial park to go that distance where we actually zone specific areas for specific purposes in the park.

The capacity of the park for recreation related to waterways and lakeways—and I think many of the members from northern Ontario realize that that is where the recreation really takes place; it's not half a mile or three-quarters of a mile in the bush, it's on the waterways, on the rivers, on the lakes, and on the shoreline. I note the member for Algoma made some remarks with regard to our restrictions as to cutting down to the water's edge.

And I say to you, Mr. Speaker, that is the reason that we want to retain that recreational value along those shorelines and those waterways.

Mr. R. F. Nixon: A thin layer of cosmetic.

Mr. Renwick: God, yes. Catherine the Great did that on her grand tour of Russia.

Hon. Mr. Bernier: Most people who go camping don't go back half a mile or three quarters of a mile to camp; it's on the shoreline, and that's where the intensive recreational opportunities take place.

As I pointed out, for the first time now in a provincial park we have recreational zones; we have primitive, natural and historic zones set aside exclusively for recreation. Of course, in addition to this we have considerably increased the number of canoe routes in the master plan complex.

The remainder of the park, of course, after the recreational needs are met, is dedicated to multiple use, and that's where we get into the real economic benefit that can be derived from Algonquin Park. For example, Mr. Speaker, research shows that 17 per cent of interior users want a pure wilderness experience. Now that's 17 per cent of all those people who go into the park, want a true wilderness experience.

Mr. Gilbertson: They like to drive in on the logging roads.

Mr. Renwick: Where did that figure come from?

Hon. Mr. Bernier: The present demand that we have provided for in the park is about 40,000 user-days, and our zoning—

Mr. Stokes: That's like saying 100 per cent of the loggers want to cut in the park.

Mr. Renwick: Where does the figure come from, Mr. Speaker?

Mr. Speaker: Order please.

Hon. Mr. Bernier: Our zoning, Mr. Speaker, in the primitive zone provides for 100,000 user-days, and the demand today is only about 40,000, so we have built in an additional safety factor of 2½ times to make sure that those 17 per cent—

Mr. Ferrier: They are going to have to make it three times.

Hon. Mr. Bernier: —of the people will have the opportunity to experience a wilderness experience.

Mr. Renwick: Where did the 17 per cent come from?

Hon. Mr. Bernier: And, Mr. Speaker, you are aware that the Frost committee recognized the dilemma for Algonquin Park, and that of course the existing and projected use demands and the proximity of the urban centres—

Mr. Renwick: I think it was 16 per cent, as a matter of fact.

Hon. Mr. Bernier: —do not allow the whole park to be managed as a wilderness park, so therefore that great leader in the Province of Ontario labeled Algonquin Park "the average man's wilderness." That philosophy is there and we are maintaining it.

I think I have to make it very, very clear, Mr. Speaker, that the park is for people, for all the people—

Mr. Stokes: And 75 per cent of it is for logging.

Hon. Mr. Bernier: —and I think it is fair to say that in my ministry we have a real appreciation for the recreational demands of the people of the province. We have something like 117 provincial parks now that we maintain, and we administer also, dealing with the conservation authorities. We are very much aware of the recreational demands placed on the resources of this province by the people of this province. So I think it's important that this point be brought up because we are the ministry and we have the personnel to do the job in that particular field.

I also want to make one point, Mr. Speaker. When we talk about the logging in Algonquin Park and I talk about the advisory committee under that very able leader, the late Leslie M. Frost, we must remember the committee itself was made up of a broad cross-section of people. We had members of the Legislature from all three political parties. It's interesting to note that when the report did come down and made certain recommendations with regard to logging, it was supported by all three political parties. There was no minority report filed.

I think it's important, Mr. Speaker, to remember that the government must also be conscious of, and even more responsive to, the basic needs of the province's population that are being met by the resource-oriented industries. We must guarantee that we have respectable incomes. We must guarantee that we have steady employment, and, of course,

along with that go stable communities and the like.

Algonquin Park, when managed properly, can supply both recreational opportunities and the forest products for the wood-using industries in that particular area. The Algonquin Forestry Authority, operating under the guidelines of the master plan, is one mechanism that will allow the park to continue and to improve its contribution to the wide range of Ontario's people.

Another point we would like to talk about is the thing we hear so often about the loggers moving into Algonquin Park, causing complete destruction, the devastation that they leave, and some members even use that word "raping" of Algonquin Park. I think it's safe to say that the simplistic notion of saving Algonquin Park from the logger's axe has a great deal of emotional appeal. It sounds like a neat, simple way of preserving Algonquin Park forever as a park, by disallowing the logger to go in there. However, I think we must point out that the forests of Algonquin, the standing timber, cannot be saved for ever. A forest is a living, dynamic community. Past maturity, it stagnates and dies. Left to nature's recycling process, the overmature forest is subjected to wildfire, to wind, to insect and disease that often affect very, very large areas—and we have some of those areas in Algonquin right now—and generally, of course, wildlife have little place in an overmature forest.

Through very careful management and selective cutting, which many members have touched upon, much of Algonquin's old growth timber is removed to make room for new forests that are aesthetically pleasing and which provide for all the benefits of a healthy forest, including recreation and wildlife.

It is widely accepted, Mr. Speaker, that there need be no real, significant conflict between the production of wood and recreational pursuits such as fishing, hunting, sightseeing, picknicking, camping, canoeing and so on.

Also, I would like to point out there's a certain mystique of wilderness that a forest must remain untouched to provide wilderness or the illusion of wilderness to satisfy the desires of a relatively few members of our society, when, in fact, the wilderness areas of Algonquin so revered by many have not been untouched by man but are the result of 100 years of logging and before that the periodic burning by Algonquin Indians. I think that's a point we must remember, that logging has been going on in Algonquin Park for the past 100 years.

Mr. Renwick: We understand that.

Hon. Mr. Bernier: And people say to me, "It's a wonderful forest." It's a wonderful forest because the forest has been managed. It has been cut on a selective basis—

Mr. Renwick: It is not as wonderful as it was 40 years ago.

Hon. Mr. Bernier: —and that is the difference. A view of Algonquin has been projected of wanton waste and destruction; raped by loggers. This is absolutely false, Mr. Speaker. Algonquin presents a pleasing picture of green, vigorous, healthy forest—

Mr. Stokes: Why is the minister intervening then?

Hon. Mr. Bernier: —completely clothing the landscape.

Mr. Stokes: Why is he setting up this authority?

Hon. Mr. Grossman: To make it even better.

Mr. Speaker: Order, please.

Mr. Stokes: If they have done such a wonderful job, why does the minister have to take over?

Hon. Mr. Bernier: To continue that and see that it goes on.

Hon. Mr. Grossman: There's always room for improvement.

Mr. Speaker: The hon. minister has the floor.

Mr. Renwick: Come and see how it used to be on Red Rock Lake and see where it is today.

Hon. Mr. Bernier: Mr. Speaker, I think the member for Thunder Bay made some comment with regard to national parks; that the federal government, under the—

Mr. Renwick: The government thinks Algonquin Park is a place to drive through, that's the problem.

Hon. Mr. Bernier: —leadership of the Liberal Party, was banning logging in the national parks. I would just like to read copies of a memo that was sent to me from a very renowned forestry expert and he—

Mr. Renwick: Give us his name first. We will decide how renowned he is.

Hon. Mr. Bernier: It's E. S. Fellows, if that's any help. E. S. Fellows. I am sure he is well known to the members.

Mr. Renwick: We've always thought of him as a very renowned expert of the forestry industry for most of the lumber companies.

Hon. Mr. Bernier: He is very highly respected.

Mr. Renwick: Yes.

Hon. Mr. Bernier: And he is doing some consulting work for—

Mr. Renwick: For most of the lumber companies.

Hon. Mr. Bernier: He is a forester from Fredericton, NB, who has toured Canada on many occasions and he is very, very knowledgeable. In fact, he spoke at the 1966 national forestry conference at Montebello, Que., and this is what he had to say about some of these national parks as it relates to forest management:

> Cape Breton National Park: Loaded with budworm infestation; at least 30,000 acres destroyed; and a serious source of infestation to surrounding Crown lands in Nova Scotia.
>
> The Riding Mountain National Park: Overmature vegetation and resultant lack of understorey, resulting in serious erosion problems in the White Mud watershed.

Mr. Stokes: How many thousand acres of jackpine did the ministry cut in Algonquin Park because of budworm disease?

Mr. Speaker: Order please.

Hon. Mr. Bernier: It goes on:

> The Banff and Jasper national parks: Overmature decaying forest in a seriously unhealthy state, with danger of insect and disease infestation spreading outside of the parks.
>
> The philosophy of the national park service is to allow fire to burn the overmature timber, rather than to harvest the resource or provide jobs and useful timber, although when fires occur, the philosophy is simply not realistic to practice.

Now, that's what he says. We have another one here: The Wood Buffalo National Park in Alberta. This is what he says about that particular park:

> Approximately 25 million board feet of timber are cut each year in that particular park, and this is the only national park that has a commercial logging operation. The province would like to acquire the park and maintain logging if national parks policy for preservation forestry is pursued.

Mr. Renwick: The minister is in the pocket of the lumbering industry and we know it. Let him not try to kid us about it. He knows it is apologia.

Hon. Mr. Bernier: So you see what's happening there, Mr. Speaker, with regard to our national parks.

Mr. Stokes: Well, we've had Tory governments in Ottawa when it was the policy not to cut timber in national parks.

Mr. Speaker: Order, please. The hon. minister has the floor.

Mr. Renwick: Has the minister read the "Politics of Development in Ontario" yet, and what has happened?

Mr. Speaker: Order, please. Order!

Mr. Stokes: Mr. Speaker, don't you want a free exchange?

Mr. Speaker: We've had that.

An hon. member: No.

Hon. Mr. Bernier: They've had their opportunity.

Hon. Mr. Grossman: That's not an exchange. It's a steady flow from the other side.

Mr. Renwick: It is cut and thrust.

Hon. Mr. Grossman: It is too much cut.

Hon. Mr. Bernier: Mr. Speaker, in our provincial parks system we have three very large wilderness parks to meet the need for a wilderness recreation.

Mr. Stokes: Here we go.

Hon. Mr. Bernier: We have Quetico up in northwestern Ontario. We have Killarney Park; and then we have the Polar Bear Provincial Park. These are primitive parks—

Mr. I. Deans (Wentworth): The minister must admit they are not as readily accessible as Algonquin.

Mr. Ferrier: They are for polar bears. How many times has the minister been there?

Mr. Renwick: How many dollars does one need to get in there?

Mr. Deans: How does the minister expect the people to get there? It's not as easy for the poor people to get there.

Hon. Mr. Bernier: I would point out to you, Mr. Speaker, that these three parks—

Mr. Renwick: Rich people and polar bears are the only ones who survive there.

Hon. Mr. Bernier: —cover over seven million acres of Ontario's land. Killarney and Algonquin both provide primitive zones in close proximity to the great majority of Ontario's population in southern Ontario. So that we have in the middle of Algonquin Park, a primitive area similar to that in Killarney and in Quetico.

Now Mr. Speaker, the other question that came up on numerous occasions was: Is there a supply of wood outside Algonquin Park sufficient to satisfy all the industrial requirements?

Mr. Renwick: Yes.

Hon. Mr. Bernier: We said no. Our management staff said some time ago that there wasn't, on their first-hand knowledge and examination. They looked at it and said, "No, there was not." Our research people, under the very able direction of Mr. Pierpoint, confirmed this by an independent, objective study tabled in the House about 10 days ago.

Mr. Deans: How can that be independent when the minister's research people confirm what his ministry says?

Mr. Renwick: It is absolutely impossible for him to be independent.

Mr. Speaker: Order, please. The hon. minister has the floor.

Hon. Mr. Bernier: Mr. Speaker, I'm going to go through the points. We just had a member of the NDP say that my ministry should look after the logging in Algonquin Park.

Mr. Renwick: The minister doesn't understand the English language.

Hon. Mr. Bernier: Now, when we get the ministry to do a report, the members opposite say it's no good.

Mr. Renwick: Language is supposed to be for communicating, not for talking to ministry people.

Hon. Mr. Bernier: Mr. Speaker, the leader of the New Democratic Party tried to destroy the credibility of the Pierpoint report in this House. As I said in my opening remarks, by holding a press conference it is completely clear that the member for Scarborough West does not understand the data or the analysis that was given to him in that report.

Mr. Renwick: It is completely clear that he does understand it.

Hon. Mr. Bernier: Specifically, at one stage or another during his juggling—and that's what he was doing with the figures—

Mr. Renwick: That's not so.

Hon. Mr. Bernier: Even his research girls were embarrassed during that debate last Monday.

Mr. Stokes: No way. That is entirely false.

Mr. Renwick: Oh, come off it.

Hon. Mr. Bernier: Mr. Speaker, the member for Scarborough West—and I will just number the points—has failed to differentiate between the gross total volume and the net merchantable volumes that were listed in that particular report. He has made direct comparisons between these two values, as if they were the same thing. And that, of course, is completely wrong.

Mr. Stokes: What about the 30 per cent available cut?

Hon. Mr. Bernier: He has treated allowable cut and actual cut as if they were the same thing.

Mr. Renwick: Come on.

Hon. Mr. Bernier: I'll get to that point, just wait a minute. He has miscalculated percentages by using wrong data by which to divide other data.

Mr. Renwick: Who wrote this?

Mr. Ferrier: Probably Mr. Pierpoint.

Mr. Renwick: Yes, this is an independent analysis of the statement by the leader of our party.

Hon. Mr. Bernier: The members don't want to hear it.

Mr. Renwick: Mr. Pierpoint wrote that, eh?

Mr. Speaker: Order, please! The hon. minister has the floor. Order, please!

Mr. Renwick: We want to know who wrote it. Mr. Speaker, Mr. Fellows was identified. Why doesn't the Minister identify the author of what he is now reading?

Hon. Mr. Bernier: Mr. Speaker, he has totally ignored the vast differences in quality between hardwood pulpwood and hardwood veneer.

Mr. Renwick: Who wrote this?

Hon. Mr. Bernier: I did this myself on the weekend.

Mr. Renwick: No wonder the minister is tired.

Hon. Mr. Bernier: I am tired.

He has accused us of omitting data from the report when the data is really staring him right in the face, if he would just look at the appropriate tables in that report.

He has stated that there are mathematical errors in the data when the standard mathematical procedure for rounding out the nearest significant figure has been used. I think his nine-year-old daughter was supposed to have made some calculation, but it was just a rounding out of the figures.

He has stated that all of Pierpoint's figures are based on the operational crews, when in fact the report states clearly that they are based on the forest resource inventory.

He has compared percentage values from the Pierpoint report with those given by industry, when in fact they are percentages of quite different things.

He even tries to have his cake and eat it, too, by taking a percentage given in terms of gross total volume, recalculating it in terms of net merchantable volume, and then reapplying this new value to the gross total volume again, which is completely distorting the whole picture.

Mr. Speaker, because of his mistakes, Mr. Lewis has given this House wrong figures and wrong conclusions.

Mr. Speaker: Order, please. I think the hon. minister should refer to the member as the member for Scarborough West.

Hon. Mr. Bernier: All right, the member for Scarborough West has given this House wrong figures and wrong conclusions. For example, he erroneously concludes that "something is profoundly out of kilter" and the figures "are just not accurate"—

Mr. Renwick: The minister didn't write that, and he knows it. He wouldn't have written "Mr. Lewis" in those remarks—he is misleading the House.

Hon. Mr. Grossman: Mr. Speaker, the minister is trying to give some details.

Mr. Speaker: Order, please. The hon. minister has the floor.

Mr. Stokes: Mr. Speaker, will you tell the Provincial Secretary for Resources Development to stop interjecting?

Hon. Mr. Grossman: He is giving details. If the member doesn't want to hear them, he can leave.

Hon. Mr. Bernier: —when he compares 635,000 cunits gross total volume with 340,000 cunits net merchantable volume. In fact they are exactly the same thing expressed in two different units, and are completely accurate.

He erroneously tries to reduce a calculated deficit of wood from 5.2 million cu ft to 2.6 million cu ft by subtracting material that cannot be subtracted.

He erroneously gives a figure of 26 million cu ft when it should be 16 million cu ft.

He erroneously gives a value of 10 per cent when it should be over 16 per cent, using his deficit figure, and 32.5 per cent using the correct deficit figure. And it goes on and on and on, Mr. Speaker.

Mr. Villeneuve: Terrible.

Mr. Stokes: Tell us about the 30 per cent available cut—that's the one.

Hon. Mr. Bernier: That's next. That is coming.

It was interesting, Mr. Speaker, that the information in the letter that the member for Scarborough West referred to that we had given him on allowable cuts in a 50-mile area was given to him about six months ago, but it was only two or three days after he threw those figures around the House that he phoned my staff. He wanted a confirmation of what the units in the data were given and how they were given, and he wanted an explanation of those figures and the data. I thought that was very, very strange. Six months after he had spelled out the report and the facts and the figures, then he confirmed the data.

Mr. Renwick: That was in response to Pierpoint and the minister's self-serving data.

Mr. Stokes: Those were self-serving figures that the minister was using.

Mr. Speaker: Order, please.

Hon. Mr. Bernier: He wanted to know in what units the data was given. He didn't know that after all this time.

Mr. Deans: No, he wanted to be sure he was right.

Hon. Mr. Bernier: Well that's one way of looking at it, I suppose.

Mr. Deans: He wanted to be sure the ministry understood.

Hon. Mr. Bernier: But I think it is of greater concern, Mr. Speaker, that even after we did correct him he went on a step further and persisted in misusing the data during a press conference on Nov. 27 to give the people of Ontario a deliberate misrepresentation of the facts.

Mr. Ferrier: That is wrong!

Mr. Stokes: Not so!

Hon. Mr. Bernier: Mr. Speaker, I think it is fair to say that—

Mr. Deans: Mr. Speaker, on a point of order—

Mr. Speaker: Does the member have a point of order?

Mr. Renwick: Will the minister have the courtesy to take his seat?

Mr. Speaker: Order, please. The hon. minister has the floor. He does not give up the floor until I say so.

Mr. Renwick: Mr. Speaker, on another point of order, you don't rule this House. You don't run the place. You speak with our voice, not his voice.

Mr. Deans: On a point of order, if I may, I would expect, Mr. Speaker, that when a member of this House rises in his place and accuses another of misrepresentation you, sir, would rise and correct it.

Mr. Renwick: That's right.

Mr. Deans: It is totally improper within the rules of the House to attribute to a member that he misrepresented facts.

Mr. Renwick: Deliberately misrepresented.

Mr. Deans: I ask that you require of the minister that he withdraw the statement, Mr. Speaker.

Mr. Speaker: Order, please. I'm sorry, I did not hear such a statement which was deliberately made.

Mr. Renwick: It is your job to hear it. That is what you are there for. That is what your business is. That is why you are the Speaker.

Mr. Speaker: Order, please. There have been so many interruptions that it's been difficult to hear, I must say.

Mr. Renwick: There was no interruption at that point in time. You are derelict in your duty as Speaker.

Mr. Deans: Further to the point of order, I ask that you require of the minister that he go back, since he's reading, and that he reread the paragraph immediately prior to my point of order in order that you can ascertain what was said.

Mr. Renwick: That's right.

Mr. Speaker: Can somebody quote me exactly what was said?

Mr. Renwick: The minister can. He is reading it.

Mr. Deans: He said that the member—

Mr. Speaker: Order, please. It would be improper, quite so, if—

Mr. Renwick: Let's adjourn the House until we get the instant Hansard and he can read it then.

Mr. Speaker: No.

Mr. Stokes: He said he was deliberately misrepresenting—

Mr. Renwick: That he was deliberately misrepresenting.

Mr. Speaker: Okay. I've had that confirmed.

Interjections by hon. members.

Mr. G. Nixon (Dovercourt): How many leaders have they got?

Mr. Speaker: Order, please. I understand the words "deliberately misled the House" were used. Would the hon. minister please withdraw those remarks?

Hon. Mr. Bernier: I didn't say that, Mr. Speaker. I said there was a deliberate misrepresentation of the facts.

Mr. Renwick: That's right, a deliberate misrepresentation of the facts.

Mr. Speaker: Order, please. I would ask the hon. minister to withdraw those words.

Hon. Mr. Bernier: Okay, Mr. Speaker, I will withdraw them reluctantly.

Mr. Renwick: What did the minister mutter under his breath?

Hon. Mr. Bernier: I said I would withdraw them.

Mr. Renwick: All right, what else did the minister say?

Hon. Mr. Bernier: Mr. Speaker, the members, I'm sure, are anxious to know about the 30 per cent figure that we used in the Pierpoint report. I must make it clear from the outset that this is 30 per cent of the gross total volume. If members have the report there, they can just follow me as I'm reading it.

The hon. members will remember from the chart that was given them that the Pierpoint report stated:

> Tops, stumps and the cull reduced the gross total volume from 100 per cent to approximately 55 per cent depending on the forest type. The remaining amount [and that is the second graph] is then called the net merchantable volume, but many industries still cannot use all of this because of the species which may be unsuitable, may be too small, the area may be inaccessible and for various other valid reasons. Our experience shows clearly that the industry in the Algonquin region can utilize at the mills 30 per cent of the gross total volume of the local forest stands. This can also be expressed as 56 per cent of the net merchantable volume of these stands.

Mr. Stokes: We weren't able to find one industry that admitted the gross was 30 per cent. We weren't able to find any.

Hon. Mr. Bernier: Of the net merchantable volume we say it should be 56 per cent and they say 40 per cent, as I understand the report.

Mr. Stokes: Why is the minister using 30 per cent in his calculations?

Mr. Deans: They were saying ranging up to 90 per cent.

Hon. Mr. Bernier: Wait a minute. It's 30 per cent of the gross total volume. That's where the confusion comes in.

Mr. Renwick: There's no confusion at all.

Hon. Mr. Bernier: That's where the confusion comes in. Just let me finish. The industry calculates wood recovery as a percentage of the net merchantable volume shown in their timber cruises and their cruises often readily ignore the small trees and the unsuitable species. The utilization rate used by Pierpoint—that is, 30 per cent of the gross total volume or 56 per cent of the net merchantable volume of all the trees of all the species—is nearly half as high again as the 40 per cent minimum estimate that was given to the NDP by the industry. This is the real, factual utilization that clearly emerges from many forest operations in the Bancroft area. That's why we picked Bancroft to do an examination, because we had such valuable information from that particular area.

Mr. Renwick: The minister never tabled that report.

Hon. Mr. Bernier: Another point that was brought up during the debate, Mr. Speaker—

Mr. Stokes: Can I ask for a point of clarification on this?

Mr. Speaker: Will the hon. minister care to answer a point of clarification?

Hon. Mr. Bernier: Mr. Speaker, I have many things to go through here and I think we're running out of time but I would like to get them on the record first.

Mr. Deans: No, we have got lots of time. We will come back at 8 o'clock.

Hon. Mr. Bernier: We can answer it at some later point.

Mr. R. F. Nixon: If the minister can't answer the question, let him say so.

Hon. Mr. Bernier: I was making a point about a question the member was raising, and that was the rejection of the ministry's operational cruise estimate which was 40 per cent of the gross total inventory volume or 75 per cent of the net merchantable inventory volume.

The instructions for operational cruising for the ministry state clearly that we "must have an estimate of the whole, i.e., all products and species. It is emphasized, therefore, that all species 4 ins. and over DBH must be accounted for."

This is different from some operational cruises conducted by individual industries, which, for example, might tally only those

trees that are 10 ins. in diameter over DBH and of usable species only.

Thus the ministry operational cruise may still overestimate the timber that any one specific industry might be able to utilize at its mill, but at least it gives the diameter and species distribution of the forest stands in case we have to do further planning for that particular area.

The 30 per cent utilization figure from Bancroft was therefore used, instead of the 40 per cent operational cruise figure, because the Bancroft figure is based on 100 per cent of all the wood cut from hundreds of logging operations for delivery to the existing industries' mills in that particular area.

The Bancroft 30 per cent utilization figure is clearly the realistic figure to use in evaluating how much wood we have that is suitable for the present industries. I think that is important.

The member for Scarborough West also called the Pierpoint report a "self-serving document," to which I object totally.

Mr. Ferrier: That is why the ministry got it; to justify its position.

Hon. Mr. Bernier: If we had intended that, of course, we would not have included anything about the operational cruises or their percentage relationships. Further, we would not have stayed with the low two-year average cut as the basis for calculating need and deficit. We would not have used those two low years, 1971 and 1973. We would have used the higher five- or nine-year figures of actual cut to give us a much higher deficit return.

I would point out, Mr. Speaker, that Mr. Pierpoint is an ethical research scientist. He gave me a scrupulously honest and objective report without any prejudice or bias whatever. I passed it on to this House in exactly the same way as I received it. That was a courtesy, I felt, to the members on the opposite side.

Mr. Stokes: "The operational cruise net merchantable volumes averaged just over 40 per cent of the inventory gross total volumes." That is quoting directly from Pierpoint.

Hon. Mr. Bernier: Mr. Speaker, the member for Scarborough West, like other members, did not like the term "available cut," because it was not widely used on previous occasions.

Pierpoint called his estimate of wood that is actually deliverable to existing mills, the "available cut." In technical and scientific reporting, it is standard procedure to establish a term, when needed. When they are doing scientific reports, if they want to express themselves in a certain field, they establish a term and give it an appropriate definition. I think that is the key. He used the term "available cut" and he defined it.

Pierpoint gave a very clear definition, both within his report and on a chart which accompanied the report; so there was no misunderstanding. He also gave a crystal-clear explanation of the difference between the gross total volume and the net merchantable volume. Of course, some members have failed to recognize the different terms, yet these statistics are so vital to the House, Mr. Speaker, that I thought I would put them on the record.

Mr. Stokes: That is a snow job and the minister knows it.

Hon. Mr. Bernier: In summary about the Pierpoint report, Mr. Speaker, it is honest, objective and realistic, and it provides the best evaluation of the wood supply that might be considered as an alternative to Algonquin Park. That alternative supply, Mr. Speaker, is not adequate.

There are several other points I would like to touch on. One is the 50-mile zone alternative, the supply of wood from private lands to the dependent industries and the operational difficulties that occur because of that.

Mr. Speaker, in my statement of Nov. 21 I outlined in detail four reasons why the 50-mile zone is not a feasible alternative source of supply for park-dependent mills. The actual lack of sufficient volumes of excess Crown wood, as reported in the Pierpoint report, was just one of the reasons for my decision. It appears, however, that the other factors which I reported have been either ignored or dismissed by many members of the House. These factors play an important part in my decision to reject the 50-mile zone as an alternative source of supply and should be reiterated at this time.

The industry of the region is already dependent upon private lands for a large portion of its wood supply but, based on a recent study of rural landowners in southern Ontario, owner characteristics and attitudes are changing. This private source of supply is not secure and cannot be guaranteed for the future as the province has little direct control of either wood allocation or forest management on private lands.

Because of my belief in the basic philosophy of private ownership and control in Ontario, I must reject the suggestion made by an hon. member that my ministry intrude

on the private sector and place further regulations on these woodlot owners. However, the ministry does have private woodlot programmes designed to encourage and assist private owners in proper forest management and utilization of these timber resources. It is hoped that the ministry will be able to ensure more, nearby private sources of wood for the forest industries in the future through the forest management efforts being made at the present time. It must be remembered, however, that it often takes a long time to see positive results when dealing with forests.

Another point: The large area covered by the 50-mile zone, the checkerboard pattern of private and Crown land, and the scattered nature of the excess Crown timber, present serious operational and financial problems which limit the recovery of this wood. It must be realized that there is a limit to the amount that companies can afford to pay for the purchase, harvesting and hauling of timber. To require companies to move from a consolidated area of Crown land such as the park to an area of great operational problems such as the 50-mile zone would have ruinous effects and, of course, the cost would be astronomical.

Third: —and I would like to place particular emphasis on this point, as it has been grossly ignored—the excess Crown timber outside the park is necessary to maintain the health of the existing industry in the 50-mile zone and thus is, in effect, already committed. We have all that Crown timber committed.

Mr. Stokes: The minister's colleague from Victoria-Haliburton says the ministry is not even doing that.

Hon. Mr. Bernier: We have more than 140 primary wood-using mills in the 50-mile zone, and others outside the zone that depend on this area for their wood supply. As evidence of the total commitment of Crown timber in the zone, new mills and major mill expansions in the area have been limited to those mills that require only the lowest grade of wood or those that are replacing existing capacity. So we have held down new mills in that area.

The viability and competitiveness of all of these mills must be protected, and to do this I must be able to provide a continuing supply of timber within a reasonable proximity of these mills. The greatest part of the zone is already committed to the industry in the form of Crown timber licences and volume agreements. In addition to existing licences and volume agreements, the excess quality wood reported in the Pierpoint report is essential to allow for fluctuations in the year-to-year wood requirements of the industry and to provide for an anticipated increased dependence on Crown timber in the total industrial supply resulting from changing attitudes of private landowners.

Several hon. members have spoken of the tight wood supply in their ridings which cover portions of the 50-mile zone. Mr. Speaker, I cannot understand the refusal of some hon. members to see the situation as it really is. The 50-mile zone is not a feasible alternative area of supply for mills now dependent on park timber. To ban logging in the park when there is not an alternative wood supply would put a large number of jobs in danger. That is very important, and many members have spoken to that point. I think all would agree that Algonquin is in a part of Ontario where jobs cannot be lightly tossed aside. Many of the members who have ridings in that particular area made this point very strongly.

Mr. Stokes: We are not tossing jobs aside or taking them lightly either.

Hon. Mr. Bernier: Speaking of jobs, Mr. Speaker, I would like to spend a few moments talking about those jobs. At the time of the last regional study, the Algonquin Park region had a labour force estimated at about 53,000. The forest industry employs about 3,100 jobs directly, one-third in logging and the rest in manufacturing. For comparison, let us look at the effect—I want to make this point to the member for Thunder Bay—of 3,100 jobs in his particular riding. It would mean the cancellation of 595 jobs at Red Rock, 650 jobs at Marathon, 500 jobs at Longlac and Terrace Bay, 166 jobs at Weldwood of Canada—

Mr. Stokes: I am not suggesting that one job be phased out.

Hon. Mr. Bernier: —and 1,250 jobs at the Great Lakes mill in Thunder Bay.

Mr. Renwick: Listen, we are concerned about jobs far beyond what the minister ever will be, and he knows it. That is the impact. That is 3,100 jobs. That's what it does; that's what it means.

Mr. Stokes: I am not suggesting one job be lost. The minister was not listening to me, obviously.

Hon. Mr. Bernier: In addition to the direct employment, there is indirect employment, Mr. Speaker, associated with logging in the park.

Mr. Renwick: He is deliberately misrepresenting the case of the members on this side of the House.

Hon. Mr. Bernier: Studies have shown that each primary or basic job in a community supports as a general rule an additional non-basic job in the same local community. Local community multipliers were developed as part of an Ontario forest industry impact study in 1969. The ratio of basic to non-basic employment was found to be essentially one to one. The chain reaction of indirect job losses is not confined to the local communities where loggers and the millworkers live, as an Ontario employment multiplier is also at work. The impact study referred to above estimated the ratio conservatively at 1 to 1.7.

Mr. Stokes: How many jobs were lost when the minister accepted the report of the advisory committee on Quetico Park?

Hon. Mr. Bernier: I think that was a completely different situation. We were dealing with one licensee.

Mr. J. H. Jessiman (Fort William): There is no comparison at all. The minister knows that. I was on that committee.

Hon. Mr. Bernier: And there was an availability of supply outside the park.

Mr. Stokes: Not one job was lost.

Mr. Jessiman: That's a different set of circumstances. Not one job was lost.

Hon. Mr. Bernier: There is no comparison between Quetico and Algonquin, because there was available wood outside the park. We recognized that, and we made the move and accepted the recommendation of the committee.

Hon. Mr. Grossman: Is the member saying there would be no jobs lost here?

Mr. Renwick: That's right.

Hon. Mr. Bernier: There will. I was saying, Mr. Speaker, that this means that every logger and millworker in the Algonquin region is associated with a second job locally and with seven-tenths of a job elsewhere in the province. Only 12 per cent of the Algonquin region woods labour force comes from Quebec. Of course, this is not peculiar to Algonquin Park.

Mr. Speaker, I just want to touch on the dependence of the secondary wood-using industries on Algonquin wood. In 1973 the secondary wood-using industries in Ontario—that is, the box factories, the furniture factories and the flooring companies—used roughly 190 million boardfeet of softwood lumber and 230 million boardfeet of hardwod lumber. While it is extremely difficult to trace Algonquin logs, as far as these secondary industries go, we do know that 44 per cent of all the softwood and 73 per cent of all the hardwood used by these industries come from Ontario. The volume of quality logs coming from Algonquin would therefore be equivalent to 27 per cent of the softwood and 22 per cent of the hardwood lumber coming from Ontario.

So all the furniture factories and the box factories use about 22 per cent of the hardwood from Algonquin Park. In addition, in 1973 there were close to 36,000 people employed in these secondary industries. So one can see the multiplier effect. This information, Mr. Speaker, was obtained by sending more than 2,500 questionnaires to the secondary wood-using industries in the summer of 1973. So we have not been sitting still; we have been working at it.

It has been suggested by one of the members, Mr. Speaker, that the woods workers are very mobile, and that they can work 50 to 100 miles from their homes. Well, I have to point out that we have a shortage of woods workers in northern Ontario and, indeed, right across Canada. I just wonder why. If it is the case that these workers will travel 150 miles, why do we have a shortage? It baffles me. But I say, too, that this type of living is not acceptable any more. The men won't live that far away from their families.

I will just touch briefly, Mr. Speaker, on the concept of the Crown corporations, because many members touched on that in the course of their remarks.

Mr. Stokes: Is the minister going to say anything about proper forest management?

Hon. Mr. Bernier: We'll get to that—that's coming.

All have agreed finally, Mr. Speaker, that the jobs must be protected. The Frost advisory committee recognized that the present licensing system would not work, and the advisory committee, of course, made the recommendation which is on page 6 of its master plan. I would just like to read into the record the general forest policy that the advisory committee recommended. Remember that this was a recommendation from members of all political parties of this House.

Mr. Ferrier: That was the first committee, not the second.

Hon. Mr. Bernier: That was the first committee, yes, and there was representation from all parties on that first committee. This is the recommendation:

> Throughout the park, all forest operations should be planned and carried out by the park administration, or under its direct supervision, and in such a manner that park values in the area do not suffer long lasting damage. It is almost certain that the continuation of the present individual timber licences will make it impossible to secure the desirable lumbering operations for the development of the park. Instead, it is suggested that the timber licensees might form a consortium for the unit operation of all lumbering within the park. Failing this, it may be necessary to form a Crown corporation to provide for such unit lumbering operations.

Now, that was a direct recommendation of the forest advisory committee, which we have accepted.

The idea of a logging consortium is not new. As early as 1947, a report of the Ontario royal commission on forestry—to which the member for Thunder Bay referred to many times, the Kennedy report—recommended the formation of "forest operating companies" so that individual companies could combine and co-ordinate all woods operations carried on within designated areas. I think you will agree with that, Mr. Speaker.

One other suggestion made was that my staff should undertake logging in the park—that we should do it ourselves. I have to say that while we have research experts and experts in the forestry itself, we are not noted as logging operators. We do not have expertise in the logging field. I don't think we have the expertise in the ministry to go that route. One of the advantages of the authority that we will set up is that it will employ, on a contract basis, the existing expertise and the capital equipment that is presently established in Algonquin Park. Our staff in the district must be free to continue to play a supervisory and controlling role.

One member—I believe it was the Leader of the Opposition—suggested that maybe we should have gone the route of a commission. Well, I have to say to him that we did consider the possibility of a commission for Algonquin Park, but we rejected this approach essentially for two reasons:

1. Algonquin Park, as the advisory committee found, is so interrelated to the entire Algonquin region that it cannot be treated in isolation from that region. The master plan, for example, deals with the question of satellite development, access points, scenic roads and wild rivers, all surrounding Algonquin Park. The planning and management of these developments must be treated along with the park as a total recreational and land management system.

2. The functions to be performed by a commission in operating Algonquin Park would, in effect, duplicate the ministry's land management activities—including fish and wildlife, fire control, forestry, recreational and other services provided by the ministry.

It was for these reasons—the extensive nature of the Algonquin system and the duplication of ministry services already in place—that the concept of an Algonquin commission was rejected. I think a very logical solution was arrived at: A Crown corporation.

Just to wind up, Mr. Speaker, I would like to put on the record the objectives of the Algonquin Forest Authority. The specific objectives are:

(a) To harvest Crown timber and produce logs therefrom and to sort, sell, supply and deliver the logs to such members of the forest industry as may be dependent thereon.

(b) To perform, undertake and carry out such forestry land management and other programmes and projects and to advise the minister on forestry and land management programmes and projects of general advantage to Ontario.

Now, the advantages of such a Crown corporation over the present situation, where we have 18 separate companies logging in the park, will be obvious to all the hon. members.

First, the vesting of responsibility and the control of harvesting operations will be with one licensee—the authority—rather than 18 licensees as at the present time. The authority will be aware of and responsive to recreational needs. Through properly controlled cutting, the authority will be able to maintain a healthy, vigorous forest which is aesthetically pleasing and diverse and which will continue to support good populations of wildlife.

Second, the authority will achieve more efficient utilization of the individual trees marked for cutting, thus permitting more products to be obtained from fewer trees. I think that has to be recognized.

Third, the authority will be able to consolidate harvesting and transport activities

in the park. This means that logging will not be spread over as much of the park as in the past and that fewer roads will be required for hauling timber.

Fourth, through the control of wood flows and prices, the government can help to ensure the continuing stability of the communities in the Algonquin region. And here again we have the members from the Algonquin region supporting us very very strongly in this concept.

Lastly, Mr. Speaker, the authority can carry out improvement or therapeutic cutting in the process of removing commercial logs and thereby improve the quality and the value of the Algonquin forest and vegetation, both for recreation and forestry purposes.

How will the authority work? The authority, functioning as a Crown corporation, will harvest forest products and supply them to the manufacturing facilities currently dependent on supplies from the park. The authority will carry out all road construction, silvicultural activities and cutting of trees prescribed by the ministry.

The role of this agency will, therefore, be operational in nature with a commercial service orientation. Given the volume of forest products it may harvest annually and the social and environmental constraints which the minister will determine, the authority will operate as efficiently and effectively as possible to produce at minimum cost for sale to manufacturing centres.

All existing licences will be terminated and replaced by a volume agreement issued by the ministry to the Algonquin Forestry Authority. As an initial target, the average level of harvesting of 15 million cu ft to 17 million cu ft of wood each year will not be exceeded during the period of plan review from 1975 to 1979. The authority will conduct logging operations through the use of local contractors and will pay normal stumpage, forest protection and forest management charges.

The authority will be directed by a board of directors supported by a professional and technical forestry staff which will be supervised by a general manager. The authority will be continually responsive to the ministry through day-to-day contact between the general manager and the park superintendent.

Mr. Speaker, that concludes my remarks. I know now that the members will want to join with me in heartily endorsing and supporting second reading of this bill.

Mr. Speaker: The motion is for second reading of Bill 155.

The House divided on the motion for second reading of Bill 155, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Auld	Braithwaite
Beckett	Breithaupt
Bernier	Burr
Birch	Deans
Brunelle	Edighoffer
Clement	Ferrier
Dymond	Gaunt
Ewen	Germa
Gilbertson	Givens
Grossman	Good
Hamilton	Lawlor
Handleman	Newman
Hodgson (Victoria-Haliburton)	(Windsor-Walkerville)
Irvine	Nixon (Brant)
Jessiman	Reid
Johnston	Renwick
Kennedy	Samis
Lane	Singer
Leluk	Stokes
Maeck	Taylor (Carleton East)
McIlveen	Worton
McKeough	Young—22.
McNeil	
Meen	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Potter	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Timbrell	
Villeneuve	
Walker	
Wardle	
White	
Winkler	
Yaremko—39.	

Clerk of the House: Mr. Speaker, the "ayes" are 39, the "nays" 22.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Some hon. members: No.

Mr. Speaker: Which committee, Mr. Minister?

Hon. Mr. Bernier: Committee of the whole House.

Mr. Renwick: Why not put it outside and get some views from the public?

Mr. Speaker: Is it agreed that the bill go to the committee of the whole House?

Agreed.

Mr. Speaker: I beg to inform the House that in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

ROYAL ASSENT

Clerk of the House: The following are the titles of the bills to which Her Honour has assented:

Bill 9, An Act to amend the Ontario Human Rights Code.

Bill 62, An Act to provide for an Ontario Building Code.

Bill 82, An Act to amend the Corporations Tax Act, 1972.

Bill 129, An Act to amend the Moosonee Development Area Board Act.

Bill 130, An Act to amend the Ontario Municipal Improvement Corp. Act.

Bill 131, An Act to repeal the Ontario Pensioners Assistance Act, 1973.

Bill 135, An Act to amend the Ministry of Colleges and Universities Act, 1971.

Bill 137, the Community Recreation Centres Act, 1974.

Bill 139, An Act to amend the Judicature Act.

Bill 140, An Act to amend the Election Act.

Bill 141, An Act to amend the Statutes Act.

Bill 142, An Act to amend the Execution Act.

Bill 144, An Act to amend the Municipal Act.

Bill 145, An Act to amend the Health Insurance Act, 1972.

Bill 146, An Act to amend the Public Health Act.

Bill 152, An Act to amend the Loan and Trust Corporations Act.

Bill 154, An Act to amend the Town of Wasaga Beach Act, 1973.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, it has been agreed that the NDP would relinquish their position on private members' hour so that certain staff members, and so on, would have an extra opportunity to go out and vote in civic elections—

Mr. Deans: We are just going to move it back a week.

Hon. Mr. Winkler: That's quite correct—and that they would take their position one week from today.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, before we adjourn, is it the intention of the House leader to call the four bills of the Ministry of Social and Family Services this evening?

Hon. Mr. Winkler: No, Mr. Speaker. We will move to committee of the whole House on Bill 155.

Mr. Speaker: In accordance with the agreement just announced, I do now leave the Chair, and we will resume at 8 o'clock.

It being 5:20 o'clock, p.m., the House took recess.

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No. 141



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

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Monday, December 2, 1974

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Clerk of the House: Order for committee of the whole House.

ALGONQUIN FORESTRY AUTHORITY ACT

House in committee on Bill 155, An Act to incorporate the Algonquin Forestry Authority.

Mr. Chairman: Are there any comments, questions or amendments to any section? If so, what section?

Mr. R. F. Nixon (Leader of the Opposition): Section 1, Mr. Chairman.

On section 1:

Mr. Chairman: Section 1, the Leader of the Opposition.

Mr. R. F. Nixon: I wonder if the minister can tell us what decisions have been made as far as personnel on the authority are concerned? A good deal was said when the authority was first announced, that John Robarts was going to be the moving spirit. You've used Leslie Frost for many years to justify a delay in action. Now that the authority is before us, by means of Bill 155, we'd like to know what individuals are going to be concerned in this matter.

Hon. L. Bernier (Minister of Natural Resources): Mr. Chairman, the only person we've selected to date is Prof. Vidar Nordin, who is the dean of the faculty of forestry at the University of Toronto. He will be the chairman. The size of the authority itself could be anywhere from five to 12 members. We're sifting through the long list that we have before us now—

Mr. T. P. Reid (Rainy River): Have you got that many Tories?

Hon. Mr. Bernier: —trying to get a broad cross-section of people with a background in timbering and logging and who have a fair regard for the recreational aspects of Algonquin Park and the other areas. We're coming together with a package of very responsible people and that will be announced very shortly.

Mr. R. F. Nixon: Have you got some formula for the distribution of the appointments? For example, are you going to have three people who are knowledgeable in the lumbering industry and three people who are from the park area or from the surrounding districts? Have you got a formula or are you just going to go through a list and see who you can catch?

Hon. Mr. Bernier: I think we want to take in a broad range. It's very difficult, say if we have a seven-man board, to cover every facet; this is one of the reasons we've set up the parks council.

Mr. R. F. Nixon: Does the ministry have some formula for the distribution of appointments? I want to know if there are any Liberals.

Hon. Mr. Bernier: Well, that might well be. I am sure there are some good Liberals around who would like to participate in a very worthy exercise.

The parks council has about 20 members on it, and they will, of course, be the public monitoring mechanism to monitor the implementation of the master plan. They come from a long list of people right across the province, but the Algonquin Forestry Authority will be people mainly in the Algonquin forestry region and those people with some background in forestry.

Mr. R. F. Nixon: Is the minister going to appoint any members of the Legislature?

Hon. Mr. Bernier: No, it is not our intention to have any members of the Legislature on this authority.

Mr. R. F. Nixon: Not even Paul?

Hon. Mr. Bernier: No.

Mr. R. F. Nixon: Not even Paul's campaign manager?

Mr. Chairman: The member for Rainy River.

Mr. Reid: Mr. Chairman, I wonder if I could just follow along on that. Having reread the bill over the dinner hour just to make sure my first impressions of the bill were correct, I find it difficult to understand why the minister is setting this authority up the way he is.

He says he may appoint five or 12. If one goes through the bill there are all kinds of questions that arise as to remuneration, as to details, as to who will serve what, and what powers this board will have. If we look at section 4(2) there is a question there about the remuneration, and from section 9 it appears that the Algonquin authority is going to have wider powers than just dealing with Algonquin Park. Really it seems to me the minister should be in a better position tonight to give us some hard answers as to how he is going to proceed. Why does he envision needing as many as 12 members for instance—

Mr. J. E. Stokes (Thunder Bay): Especially when he is going to set policy.

Mr. Reid: —when he is going to set the policy and they are going to be responsible to him? Quite frankly it seems to me, having gone through the Act again, that he would be better off to have it under his ministry, because it is not going to make any difference. All he is going to do is provide 12 more jobs for 12 more Tories—and that is about all that are left in the province, I suppose, or he would have made it 40.

Mr. R. F. Nixon: They are hard to find.

Mr. E. R. Good (Waterloo North): A year from now they will be extinct. Better put them under the Endangered Species Act.

Hon. Mr. Bernier: Mr. Chairman, it is obvious that some will say that five is too small and others will say that 12 is too large; we could go on to no end to pick out members.

Mr. Reid: You really have no idea what you are doing.

Hon. Mr. Bernier: We have set it up for that range and it may well be that we won't need that many. It is in the Act and it makes it a little more flexible.

Mr. Reid: Are you accepting recommendations?

Hon. Mr. Bernier: Certainly. If you give us somebody who has a good background, is knowledgeable in that particular field and can contribute something to Algonquin Park—

Mr. R. F. Nixon: Is it necessary to be a paid-up member of the PC association, the way it is for QCs?

Hon. Mr. Bernier: No, I am sure it is not necessary.

Mr. Chairman: Shall section 1 carry?

Mr. Stokes: No.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: I want to find out what relationship and what kind of liaison there will be. You have the minister, Mr. Chairman, dictating the policy; you have the authority supposedly carrying out the policy; and then you have a council of 20-odd members supposedly representing all interests right across the province. What kind of liaison is there going to be if the authority is going to work on the direction of the minister? What kind of input is the 20-man or 20-person council going to have in the overall priorities that will be established for the park, in reality determining the kind of park we are going to have? Other sections of the Act which we will get to a little later on set out in broad terms what the responsibilities of the authority will be, but certainly it will have to be in keeping with the direction and the overall policy laid down by the minister himself.

So you are going to have the minister dictating the policy, the authority presumably carrying it out, a 20-member council acting as a watchdog; and then in addition to that you are going to have an interministerial committee, which again is going to have some kind of input. Surely the minister should be able to tell us what kind of liaison there is going to be among those four separate bodies. How is he going to co-ordinate this?

Mr. Reid: Are they all necessary?

Mr. Stokes: If he gets a letter from somebody saying he doesn't like the way they harvested timber in a particular area of park, is the minister going to say: "You'll have to refer that inquiry to the authority"? And the authority will say: "We did that because the council recommended it."

Or is he going to say: "That was a judgement call by my ministerial committee"; or somebody within the ministry who is going to have some kind of input?

What was the minister's thinking when he brought in this bill? What discretionary powers are going to be left to the forestry

authority as opposed to authority vested in the three other bodies I mentioned?

Hon. Mr. Bernier: Mr. Chairman, I think the member has really missed the point. We filed the Algonquin Park master plan; it's in there. All the details are in there; the reserves, the reservation, the amount of timber they can cut. It's completely spelled out in the master plan. That master plan is up for review every five years.

The parks council will look over the whole operation. After they have public meetings, across the province as they deal with Quetico Park, Rondeau Park, Killarney, Polar Bear, it may well be they will receive some input about Algonquin Park in the master plan and say: "Maybe we should have a look at that and see what the Algonquin Forestry Authority is doing, or should be doing and is not doing." It will be this type of thing. There will be public monitoring to make sure they comply with what we have accepted on behalf of the people of the province that they do.

The authority will be established. It will have a chairman and a vice-chairman and will appoint a general manager. There will be in that region a district manager from the Ministry of Natural Resources and they will be working very closely together. You will have the three. The Algonquin Forestry Authority will be dealing as a logging company, as a Crown agency harvesting the forest product, making the roads and hauling timber out to the industries that require it outside the park. They will be doing that kind of work. Like any other company, they have to file with us a plan under which they intend to operate under the Crown Timber Act, a management plan which all major companies and licensees have to file with us as to what they're going to do and how they're going to do it. Here again they must comply with what is in the master plan.

Mr. Chairman: The member for Rainy River on what section?

Mr. Reid: Mr. Chairman, on section 4.

Mr. Chairman: The hon. member for Rainy River on section 4. Is there anything before section 4?

Sections 1 to 3, inclusive, agreed to.

One section 4:

Mr. Reid: Mr. Chairman, to continue with that vein of thought and to ask particularly about subsection 2 of section 4 of the bill, can the minister give us a ballpark figure on how much this is going to cost? What kind of money are we talking about for the remuneration of these five to 12 directors, the general manager and all the bureaucracy that will automatically flow from the setting up of this Act?

Hon. Mr. Bernier: Mr. Chairman, Management Board, about two or three years ago, established a certain formula as to the number of meetings these agencies hold over a period of a year, and that regulates the amount of remuneration they are paid. It may vary anywhere from $85 to $125 a day. It all depends upon how often they sit. It goes on that basis, but it is set by Management Board. The remuneration is already in place.

Mr. Reid: Does the minister mean this authority is going to operate like any other manifestation of government as set down by Management Board? Suppose they can't do the work within the guidelines set down by Management Board?

Hon. Mr. Bernier: I think they'll be able to do it. They can sit as often as they want, really.

Mr. R. F. Nixon: Even if they have nothing to do.

Mr. Reid: What if they've got nothing to do?

Hon. Mr. Bernier. They can sit once a month. If you run a logging operation and are taking 16 million cubic feet—

Mr. R. F. Nixon: But you are setting a policy and policing it.

Hon. Mr. Bernier: Under the Crown Timber Act we set the policy for all harvesting in the Province of Ontario.

Mr. R. F. Nixon: If you are policing it, what do you need them for?

Hon. Mr. Bernier: They are set up to run the day-to-day operation.

Mr. Reid: They are going to have to meet regularly, aren't they?

Hon. Mr. Bernier: There are 18 companies doing it now; but there is going to be one company, in effect.

Mr. Reid: All right, but that's the point. They are going to have to be meeting on an extremely regular basis, are they not? Really, what they are doing under this Act is they are making sure they are selling the logs for

you. Instead of the 18 companies, they are selling the logs.

Hon. Mr. Bernier: Harvesting them too, under strict environmental controls.

Mr. R. F. Nixon: Isn't it under environmental control now?

Mr. Stokes: That's what you've led us to believe.

Mr. Reid: That's the scary thing about it. We are to assume, then, that the rest of the province is being raped by the timber operators; and I don't buy that either. I just don't see any need for this; and surely the minister can give us some kind of an idea as to how much this is going to cost us in the next five years, say in a year-by-year projection. Do you really have no idea what it's going to cost the taxpayers?

Hon. Mr. Bernier: Mr. Chairman, there is going to have to be some seed money to start the thing up. We have to give them some money to start with.

Mr. R. F. Nixon: Oh yes, they are going to have to have an administration building on Canoe Lake first thing.

Hon. Mr. Bernier: No they won't. There is nothing like that—

Mr. R. F. Nixon: Oh yes, and a couple of planes.

Hon. Mr. Bernier: They will operate as a company, and there will be zero funding; there will be no cost to the Province of Ontario as it gets operational.

Mr. R. F. Nixon: Who is going to buy their planes?

Hon. Mr. Bernier: It's right in here, in a section of the Act; I don't know just what section it is—

Mr. R. F. Nixon: They are going to use them for fishing.

Hon. Mr. Bernier: —but if there is any profit that they garnish over the years—

Mr. Reid: Do you think there will be?

Hon. Mr. Bernier: —then that will come back to the consolidated revenue fund. But there will have to be some startup money.

Mr. Reid: Mr. Chairman, I don't mean to belabour this point, but it bothers me that the minister should come in with a bill as vague as this and not be able to give us some idea of how much it's going to cost.

I can't accept for one moment what the minister said, that in time this will be a self-sustaining operation. Most of us have been in government long enough and watched the exercises of government to know what kind of bureaucracy and red-tape machine is going to be built up for something that, particularly to my mind, is not essential to begin with; and particularly as it's manifested in this bill. It's the old theory about Parkinson's Law; and I can see it operating here. I can also see all these people being flown to the park either by Lands and Forests plane or charter aircraft, or being transferred up there, getting their $85 or $125 a day; the general manager with a nice big office and two or three secretaries, and then a few filing clerks.

In the bill you are providing they may request technical advice and consultants. It has become a business in itself for friends of the government to be consultants to the government at $500 and $600 a day.

You are asking us to approve a bill without being able to give us any facts and figures as to what it's going to cost, or even what the size of the bureaucracy in this matter is going to be. I think the minister should give a sober second thought to setting up this authority in the way he has devised it here.

Hon. Mr. Bernier: Mr. Chairman, there is nothing more I can add except to repeat what I have already said. It will not be a drain on the taxpayers; it will wipe itself out; and I hope there will be a profit eventually that can come back in the consolidated revenue fund.

Mr. Reid: Why not let your ministry do it?

Hon. Mr. Bernier: We have looked at that. We want it at arm's length; we want an authority that will operate on its own as a business. It will replace the 18 licensees who are currently there, consolidate our efforts, result in a more efficient operation—

Mr. Reid: But it's not going to be more efficient under this setup.

Hon. Mr. Bernier: —and obtain multiple-use benefits from the trees that are harvested there. As I said in my statement this afternoon, we will achieve more benefits with fewer trees. It is as plain and simple as that.

Mr. Reid: You are going to replace the trees with people, that's what you are going to do.

Mr. R. F. Nixon: Well, Mr. Chairman, if the minister is so concerned about the experience that he is indicating we are going to have, that it's going to be a self-funding authority with an advisory committee but which reports directly to him, I don't see how he can have this at arm's length, with an authority administering the logging responsibilities associated with the park and still have all of the policy coming directly from the minister.

I may regret saying this sometime in the future, but the experience we have had in Niagara, say—and it's not the same circumstance, but it certainly is one where a tremendously valuable park facility has been put under government control—and the St. Lawrence parks are the same way. Why didn't he at least examine the alternative of a commission? A commission which would have not only the responsibility for continuing the policy of logging—which we cannot support—but also the general administration of the park, so that he could get out of the business of running Algonquin Park.

There is no doubt in my mind that this bill perpetuates, with several screens between the minister and the public, the fact that the minister and those people who advise him are going to establish the policy for the development of the park.

Why didn't he opt for a commission similar to that with which we have experience in other major park developments which have removed the responsibility from the direct political control of the minister or his successors?

Hon. Mr. Bernier: Mr. Chairman, I think I went into that this afternoon. We chose to go for an authority, a Crown agency, as was recommended by the advisory committee on which there were members—

Mr. R. F. Nixon: They advised it?

Hon. Mr. Bernier: Yes, they did recommend that we go to either a consortium or a Crown corporation. As I said this afternoon, Algonquin Park is interrelated to the entire Algonquin region. It's not clearly defined. The borders are not sharp, because this authority will be able to operate outside the park. There may be areas outside the park—

Mr. R. F. Nixon: Internationally.

Mr. Reid: Interprovincially.

Mr. R. F. Nixon: What are you going to do internationally?

Hon. Mr. Bernier: It may well be the forerunner of something right across this province.

Mr. Stokes: It could be the start of something big.

Hon. Mr. Bernier: That's right. It could be the start of something big.

Mr. Reid: You are trying to scare us now.

Hon. Mr. Bernier: It certainly could; and the member for Thunder Bay and I have talked about this on a couple of occasions. But it could well be—

Mr. Reid: Who is convincing whom?

Hon. Mr. Bernier: We are really going to get a lot of experience from this authority.

Mr. W. Ferrier (Cochrane South): You may end up a "red" Tory.

Mr. Chairman: Any further comments, questions or amendments?

Section 4 agreed to.

On section 5:

Mr. Reid: Yes, Mr. Chairman, I would like to go on to section 5, if I may. I don't wish to be repetitious, but to underline what I and my leader has just said, in section 5 the Lieutenant Governor in Council—who in his other manifestations will appear no doubt as the Minister of Natural Resources—will appoint the general manager of the authority. The authority that you are setting up at public expense is not even going to have the authority to hire their primary and number one employee.

Mr. R. F. Nixon: They won't be able to fire him either.

Mr. Reid: Now that just doesn't make sense.

Hon. Mr. Bernier: Mr. Chairman, it is quite obvious that the chairman of the authority and the vice-chairman of the board of directors will select their general manager.

Mr. R. F. Nixon: Why can't they appoint him?

Hon. Mr. Bernier: And we'll appoint him.

Mr. Reid: You don't give them the authority.

Hon. Mr. Bernier: We will go along with their recommendations — their very strong recommendation—because they have to work with him and they have to set it up.

Mr. Reid: That is not what the bill says. It says the Lieutenant Governor in Council.

Mr. R. F. Nixon: You'll be running it out of your hip pocket.

Hon. Mr. Bernier: Certainly when they come to us we will then appoint him in an official way.

Mr. R. F. Nixon: Mr. Chairman, the hon. member, my colleague, makes an excellent point. It is very much like the way the county school boards were established in 1968. The Minister of Education had responsibility to appoint and therefore had the power to fire, the directors of education in every county across the province. Sure there was a great show of independence on behalf of the democratically-elected boards of education in each county or district. But they diidn't have the right to hire or fire their chief executive officers.

Now how can the minister indicate under section 5 that in fact he is removing the responsibility from his own jurisdiction to an independent authority, when in fact those people cannot hire or fire their chief executive officer? That person is going to be responsible to only one other person, and that is the minister or his successors.

Hon. Mr. Bernier: Mr. Chairman, the general manager is appointed, and he will be selected with the full co-operation and support of the chairman of the board and the vice-chairman and the board of directors.

Mr. R. F. Nixon: You better believe it, because they owe their job to you, too.

Hon. Mr. Bernier: And he is subject to control and direction by the board of directors. It is very clearly spelled out.

Mr. R. F. Nixon: There is no assurance at all.

Mr. Reid: It is a farce, the whole thing.

Hon. Mr. Bernier: I can give it to you now.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: In section 5, there is no assurance in this bill that the authority will have any say at all. Sure you are making an assertion now that you will listen to your authority in the appointment of a general manager. But there is nothing reflected in section 5 that says anything other than that the minister will be appointing the general manager, whether the authority likes it or not.

It's an intolerable situation. If you select somebody who just doesn't work out, what does the authority do? What control have they got? If they are going to be the ultimate authority for carrying out policy within the park and they reach an impasse or a disagreement, a major disagreement, with your hired general manager, I think they should have the right to say: "No, this fellow isn't suitable. He isn't assisting us in carrying out the mandate which has been handed to us. We want the right to determine who that person shall be, the kind of training he has and how he sees the carrying out of that mandate" that is spelled out in more detail in another section.

Surely the minister should give the authority the right to choose who the general manager will be and the right to dispose of his services if, for some reason or other, they think he is not acting in the best interests of the authority in carrying out the policy that has been given to them? I don't think it's unreasonable to ask that that be given in section 5.

Hon. Mr. Bernier: I might point out, Mr. Chairman, it states very clearly that the general manager of the authority shall be subject to the control and direction of a board, and it clearly establishes that he answers to it. So he won't be answering to the minister, he'll be answering to the board and they will have control. After all, they will be paying his wages.

Mr. Stokes: Yes, but as long as he is your man.

Mr. R. F. Nixon: They've got to pay him.

Mr. Reid: That's right.

Hon. Mr. Bernier: No, it's there in the Act.

Mr. R. F. Nixon: Like the Lieutenant Governor.

Hon. Mr. Bernier: No. I think this is the right way to go, really.

Mr. Chairman: The hon. member for Cochrane South.

Mr. Ferrier: I want to ask about this, Mr. Chairman. You say that they are going to make the recommendation to him and you

are going to make the appointment. But you are also going to set his wages. The board is supposedly going to run this operation—a big operation that is now run by 18 private companies—but you are going to hire the general manager, and while you tell us that they are going to make the recommendations you are also going to set the salary. This sounds to me as though the criticism that's coming from this side of the House is pretty valid; that you are interfering in a very significant way. You are calling all the shots and they are going to be told by this fellow pretty well what to do. I think that this manner of appointment leaves a lot to be desired.

Mr. R. F. Nixon: That section 5 should never carry.

Mr. Chairman: The hon. member for Rainy River.

Mr. Reid: Do you want to reply to that?

Hon. Mr. Bernier: No.

Mr. Reid: All right. Let's go on to section 6, Mr. Chairman, and we can repeat—

Mr. R. F. Nixon: I think we had better vote against section 5.

Mr. Chairman: Shall section 5 carry?

Mr. Reid: No.

Some hon. members: No.

Mr. Chairman: All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the "ayes" have it.

Section 5 agreed to.

On section 6:

Mr. Reid: Mr. Chairman, in section 6 I could repeat my arguments—

Interjections by hon. members.

Mr. Reid: —the same arguments that we've talked about in section 5. "The authority may, subject to the approval of the Lieutenant Governor in Council, establish job classifications, personnel qualifications, etc., etc., etc."

Mr. R. F. Nixon: You are running the whole thing.

Mr. Reid: Again the authority is in the hands of the minister. The minister has the final say as to who is going to be hired, what rates of pay they are going to get, what their job designations are, and so on and so forth.

Mr. Stokes: What a bunch of lame ducks they are going to be.

Mr. Reid: When you strip all the verbiage away we really wind up with the minister hiding behind his 12-man body saying, "If anything is wrong in Algonquin Park it is not the ministry of natural disasters, it's not the minister, it's the Algonquin authority that is responsible."

Mr. R. F. Nixon: And all the time it's the member for Renfrew South (Mr. Yakabuski) telling the minister what to say.

Mr. Reid: "If you have any complaints go to them and argue with them. I am at arm's length; I don't have any control over this." Well, I think it's a pretty shabby, shoddy and expensive smokescreen to put before the people of the Province of Ontario, and we'll vote against this section also.

Interjections by hon. members.

Mr. Good: Typical Tory tripe.

Mr. Chairman: Any further comment on this section? Shall section 6 carry?

Some hon. members: No.

Mr. Chairman: All those in favour of section 6 shall say "aye."

Mr. R. F. Nixon: Pretty weak.

Mr. Chairman: All those opposed will say "nay." In my humble opinion, the "ayes" have it.

Mr. R. F. Nixon: That is very humble.

Hon. A. Grossman (Provincial Secretary for Resources Development): That is a good opinion.

Section 6 agreed to.

Mr. Chairman: Are there any further comments or questions or amendments to any other section?

Mr. Reid: Mr. Chairman, I am glad you asked. I want to speak on section 7.

On section 7:

Mr. Reid: I don't believe I am wasting the time of the House, because I think it should be clearly on the record what the minister is doing. In section 7, he gives the authority—he doesn't give the authority, but he suggests they may have the authority—to

engage persons other than those appointed or employed pursuant to section 6 to provide professional, technical or other assistance. I meant to mention in section 6, because it talks about personnel qualifications, duties and so on, that obviously we are talking about a lot of people. I wonder if the minister in answering my criticism of section 7 can tell us how many people he envisages being hired to begin with, and under what terms he feels that other people might be asked to provide assistance when he has all the civil servants and all that expertise in his ministry to begin with.

Hon. Mr. Bernier: Mr. Chairman, it is very difficult to say exactly how many. This section gives the authority to hire professional and technical people if they so desire. If they want, say, a forester or somebody who is knowledgeable in the environmental field to look after the environment or the aesthetics, then they have the authority to go that road, but we don't know how many at this point in time.

Mr. Reid: Have you any idea how many ordinary employees other than consultants there might be?

Hon. Mr. Bernier: I envisage it as a very small number, really, because much of the work will be on a contract basis.

Mr. Reid: What is a small number?

Mr. R. F. Nixon: You should know better than that.

Hon. Mr. Bernier: They will be contracting much of the actual logging operations and the hauling operations, so I don't envisage a great big bureaucracy being established under the Algonquin Forestry Authority.

Mr. Reid: Ten, 20, 30?

Hon. Mr. Bernier: I think by leaving the authority in the hands of the Lieutenant Governor in Council, it does give us that control that it doesn't get out of size. I point out that the setting up of this Crown agency is very similar to the NODC—the Lieutenant Governor in Council picks the chairman and the vice-chairman, and sets the salaries, as we did on the Niagara Parks Commission. The same principle is being applied, certainly.

Mr. Chairman: The Leader of the Opposition.

Mr. R. F. Nixon: I would suggest, Mr. Chairman, that the minister is being terribly naive in this. Of course, he is going to make the appointments, not only of the authority itself and its chairman, but of the important people who have technical positions who are going to be dealing with the authority and with the park. He's going to find requests from this authority for a new headquarters up there on Opeongo or somewhere, and he is going to find that year by year the costs are going to escalate and that the people who are buying the timber from the authority are going to object, as well they should, that a bureaucracy—the minister says he hopes it is not going to be a big bureaucracy, so we assume that he is looking at a middle-sized bureaucracy—is going to be established up there in the park, and it is unnecessary.

He's got all the powers. He's got the technical staff to undertake the supervision and the inspection of the removal of logs. We don't approve of the removal of logs in the long term—and we have made that point on the principle of the bill—but he has all the powers that could be exercised through his ministry as it now is.

Yet he is establishing this authority, and those people who are accepting the appointments from the minister are going to find that their real powers are almost, if not entirely, non-existent, that they will be wielded by the minister and in his name by some third assistant deputy in the offices over there—and magnificent offices they are—and that those orders will be phoned up to some area up there in the park where the taxpayers will once again be called upon to build some manifestation of the bureaucracy that the minister, I know, does not approve of.

But he somehow has been caught in this meat grinder and he is going to be ground out the other end simply because this is the vehicle which he has been persuaded should be used under these circumstances. I believe it's a serious error. It's going to add to the bureaucracy, and my colleague from Rainy River makes the excellent point that it's going to be costly. The minister can't even give us an indication of what is expected by way of costs.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: I want to review with the minister for a moment just what he is saying when he says that the authority may engage other people in keeping with the carrying out of its mandate in the park. We have a Minister of Natural Resources. We've got a Deputy Minister of Natural Resources. We

have three Assistant Deputy Ministers of Natural Resources—four, I am advised.

Hon. Mr. Bernier: One for northern Ontario.

Mr. Stokes: Right. We have a chief of the timber branch of the Ministry of Natural Resources. We've got a head of the timber sales branch of the Ministry of Natural Resources. We have regional directors for the Ministry of Natural Resources.

Mr. R. F. Nixon: That's quite a bureaucracy.

Mr. Stokes: We have assistant regional directors for the Ministry of Natural Resources. We have the district manager for Natural Resources.

Mr. Reid: Regional timber men, too.

Mr. Stokes: Yes, we have the regional timber men. Then you get down to the district level, and you've got the district manager and you've got the district timber supervisor.

Mr. R. F. Nixon: They've hoodwinked this minister. They've all got top jobs—better jobs than his.

Mr. Stokes: In addition to this, we've now got the Algonquin Forestry Authority, made up of anywhere from five to 12 members. We're going to have a general manager who is going to be responsible for contracting out the harvesting and the sale of timber within the park itself. You're giving them the authority to engage other persons—"persons other than those appointed or employed pursuant to section 6 to provide professional, technical or other assistance to or on behalf of the authority, and may prescribe the terms of engagement and provide for payment of the remuneration and expenses of such persons."

The minister has already stated that these people themselves are not physically going to harvest the resource in Algonquin Park; this is going to be contracted out to others. I want to find out who those others are. Are these the ones who traditionally do the harvesting in the park and on the periphery of the park at the present time? I'm asking because if you're going to engage other personnel to assist and to advise in a professional way, I think what you're saying is that you're going to contract the actual physical work out to those who are ultimately going to be the buyers. If that's the case you've got an immediate conflict of interest right now.

Where are you going to get this other level of bureaucracy that you're going to bring in to advise and assist your general manager and to carry out the wishes of the authority, whose mandate is there by virtue of the fact that it is controlled by the minister himself? I've never heard of such a monstrosity as you're setting up.

Mr. R. F. Nixon: That's what it is.

Mr. Stokes: A real monstrosity.

I know the way the ministry works, and I think it works reasonably well the way it is. But when you're getting this second and third and fourth level between the ministry and those at the district level who are responsible for carrying out harvesting and setting up management plans, who's going to evolve the management plan? Is it going to be Prof. Nordin over at the U of T faculty of forestry? Is it going to be your general manager? Is it going to be these other persons who may be engaged at the discretion of the minister?

Boy oh boy, what a real bureaucracy you're setting up. Surely you must have sat down before you brought in this bill and said, "Let's have a schematic drawing and see how this thing will work," before you threw together all of these sections of an Act and said it was going to work.

I'm convinced from reading this bill that it isn't going to work. I don't know how it could possibly work with all the interrelationships and all of the policy edicts coming down from the ministry. Who's going to carry them out? I haven't got a clue, and I'm sure if the minister has he'd better explain the mechanism and how this policy is going to be implemented.

Hon. Mr. Bernier: Mr. Chairman, some of the members just don't want to accept how it's going to work. They just keep saying it's not going to work and I tell you it"s going to work.

Mr. Stokes: Tell us how.

Hon. Mr. Bernier: I've told you three or four times now.

Mr. R. F. Nixon: The logs are going to come out of the park. You're going to pay all these people top salaries.

Mr. Reid: We'll quote you.

Hon. Mr. Bernier: Okay, you can do that. And make sure it's in Hansard good and clear.

Mr. Reid: What is your definition of a large bureaucracy?

Hon. Mr. Bernier: I have no idea. When you operate on just cutting 150,000 cunits of wood a year, I don't envisage that as a large operation, really, when you look at the overall province and the amount that the paper companies take out.

Mr. Reid: What is your definition of a large operation?

Mr. R. F. Nixon: We will see; we will see what the costs are.

Mr. Stokes: That is what I suggested. You have people sitting under the gallery who are competent to do it.

Hon. Mr. Bernier: This is a very special situation.

Mr. Stokes: Then you are saying they are not competent?

Hon. Mr. Bernier: When we want the aesthetics and the recreational potential of the park treasured and husbanded and guaranteed for future generations, then this is the group that will do it; the authority will have that power under the master plan.

It will be all there for the local people, to whom you refer. There are some present operators now who are contracting. I envision them as entering into an agreement with the forestry authority. We are not going to move in and bring in a bunch of wood cutters and haulers from northern Ontario to work in Algonquin Park. People are there already; we want to preserve those 2,100 jobs. That was the whole idea; to bring them together under one authority and keep those jobs going. So those local people will still be involved.

There won't be a conflict of interest because that will be removed completely. All the mill will be doing is processing the timber that is brought to it. The people who are actually involved in cutting, in hauling and making roads are there now; they are in place. So they will be contracted by the authority.

Mr. Stokes: Let me ask the minister one question. First, though, I don't know who these people are that you are going to contract to do the harvesting at the discretion of the authority. There are 18 present licence holders in the park. Let's assume that your general manager says, "We think that one of the prime licence holders in the park is ideally suited, equipped and capable of managing in the park and doing the harvesting." Would you consider that a conflict of interest? You hire them to come in and do the harvesting, and then you haul it out of the park and sell it back to them.

Hon. Mr. Bernier: Mr. Chairman, we don't envision the authority involving a major processor in the operation. Now, there are several industries; they will be operating their mills, period. They won't be involved in the harvesting. We won't engage them. They may sell off their equipment; but a lot of them don't have any equipment now. It is on a contract basis now with the smaller jobber operations that are operating around there. They are doing the work now. Those are the ones that we envision taking over and working closely with them; not a few big ones who may want to come in and dominate it. Not at all.

Mr. Stokes: All right, in the event that happens, how are you going to let out the contracts? Are these small contractors and jobbers going to be friends of yours or friends of the member for Renfrew South? What are you going to do? Are you going to set up a management plan and say, "We envisage that we will be harvesting so many thousand cunits of whatever species" — whether it be conifer — and will you say, "Okay, we will accept bids, and the lowest bidder will get it," or, "We need so many thousand cunits of hard maple or yellow birch"? Is this the way you are going to do it—on a tender basis—or are you just going to pass it to your friends?

Hon. Mr. Bernier: No, it will be on a very closely-watched tender basis. I am sure the authority will run an efficient operation. Certainly, they will invite tenders and bids from a number of different operators in the area in order to get the best.

Mr. Stokes: Will you give us the assurance that it will be on tender?

Hon. Mr. Bernier: Yes, I can give you that assurance. No problem at all.

Section 7 agreed to.

On section 8:

Mr. Reid: Mr. Chairman, not being a lawyer, I wonder if I could ask the minister to explain section 8 to me, and particularly the last line which says, "or for any default or neglect in good faith in the exercise of any of his duties or powers."

Do I interpret that section to mean that if somebody hired by the Lieutenant Governor in Council, or by the authority, makes some kind of mistake that would ordinarily, perhaps, find that particular person being sued or in court, the general public or private citizen cannot, in fact, sue that employee or person on the authority?

Hon. Mr. Bernier: Yes, Mr. Chairman, this is a customary section in all these types of bills. It provides a certain amount of protection for those personnel who may be liable for acts or omissions in good faith in the exercise of any of their duties or powers as related to their work with the authority.

Mr. Reid: That part is all right.

Hon. Mr. Bernier: But this allows us to get good, qualified people who will act; who will not be subjected to any actions on their part.

Mr. Reid: All right. I agree with that. I've seen it before and I've asked the legal minds in this party who are usually very good on those kinds of matters, but it's the last line which seems to indicate that in the event of bad faith or purposeful neglect, you still can't sue. Usually these clauses provide that if, in the ordinary course of a person's duty something goes wrong, he can't be held responsible. But in this section, in the last line, it seems to indicate that in the event of bad faith, or purposeful neglect, you still can't sue—even if it's done on purpose.

Mr. R. F. Nixon: In any of his duties it applies.

Hon. Mr. Bernier: Mr. Chairman, if you look at the section it says: "... for any default and neglect in good faith in the exercise of any of his duties ..." Nobody would purposefully be neglectful, as the member pointed out; if he is acting in good faith then this protection must be provided.

Section 8 agreed to.

On section 9:

Mr. R. F. Nixon: I want to say something about section 9. Since this is the section of the Act that gives the authority the power to harvest Crown timber, this is the area where, surely, the government is prepared to accept the goal of phasing out this type of exploitation in these specific Crown lands—Crown lands set aside for specific and very important park purposes—a goal that was accepted by our predecessors in this chamber back in, what—1893? I was quite interested, certainly in reading and listening to the remarks made by some of the members from the area. I thought they were particularly vituperative and, in my view, they have dictated government policy on a very crass, narrow-minded, political basis for not accepting that as a goal.

The minister must surely realize that the objections that have been raised by myself and my colleagues and by the NDP have clearly established that we would phase out logging only on the condition that government policy provides an alternative for the 3,100 jobs that have been referred to. The minister has repeatedly failed to give us the statistics associated with those jobs – how many are filled by those who come from other jurisdictions, particularly the Province of Quebec, and what the distribution is. It is no one's intention to put those people out of work, nor to deny the right to the industries concerned to make a profit by their industrial initiative, but it is a goal that should be accepted on behalf of the people of the Province of Ontario.

I'm glad to see the member for Victoria-Haliburton (Mr. R. G. Hodgson) take his place because the debate has now gone on for 50 minutes in this regard without him being here. The member for Renfrew South isn't here and he was quite prepared to be personally critical of anybody who thought differently than he did on the—

Mr. E. M. Havrot (Timiskaming): Where were you last week?

Interjections by hon. members.

Mr. R. F. Nixon: —crassest, narrowest, political basis. The member for Renfrew South has never got over his defeat and his beating by the Hepburn Liberals. He's never progressed beyond that. I think it's a shame that his particular attitude in this Legislature is even permitted.

Interjections by hon. members.

Mr. Chairman: Order, order.

Mr. R. F. Nixon: I want to draw to your attention that the member for Renfrew South isn't here.

Interjections by hon. members.

Mr. L. Maeck (Parry Sound): What has that to do with the bill?

Mr. R. F. Nixon: I think it's an important matter that the attitude in opposition to the establishment of this authority has been so

grossly misrepresented for the crassest political purposes by narrow-minded representatives from that area—representatives who will never be elected again.

Interjections by hon. members.

Mr. R. F. Nixon: I want to say to you, Mr. Chairman, that the minister has accepted bad advice in this bill. It is a monstrosity—the word used by the members for Thunder Bay and Rainy River. That's exactly what it is. It's an expensive monstrosity that is unnecessary. The government should have accepted the goal that has been put to it by reasonable observers from the community and by representatives of the opposition parties. Of course you're not prepared to accept our recommendations, but I suggest to you, Mr. Chairman, that it is a serious error that section 9 be allowed to form a part of the bill and we intend to vote against it.

An hon. member: Good!

Hon. Mr. Bernier: Mr. Chairman, I just want to reply very briefly. We went all through this this afternoon, but I want to point out, with all due respect to the Leader of the Opposition, really—

Mr. Havrot: Where were you last week when he was here?

Mr. R. F. Nixon: Where is your loudmouthed member for Renfrew South?

Interjections by hon. members.

Mr. Maeck: He's not as loud as you.

Hon. Mr. Bernier: —the advisory committee established under the late Leslie Frost—and you had a member on that committee—strongly recommended that logging continue in Algonquin Park, that a consortium or a Crown corporation be established. We've accepted that recommendation, but now you want to change horses in midstream.

Mr. R. F. Nixon: That's right. I think it is a mistake.

Mr. I. Deans (Wentworth): It was a mistake.

Hon. Mr. Bernier: You want to go in the opposite direction because it may be politically advantageous for you. Here in Toronto—

Mr. R. F. Nixon: Far from it. You know that.

Hon. Mr. Bernier: Listen to the members up in Renfrew North (Mr. Hamilton) and Renfrew South—

Mr. R. F. Nixon: Yes, a hardware dealer from Barry's Bay.

Hon. Mr. Bernier: They have got the feeling for the people up there. They know the situation.

Mr. Ferrier: You don't want to try to find any alternative.

Hon. Mr. Bernier: They live with the situation. It's their heart.

Mr. Stokes: Mr. Chairman.

Mr. Chairman: Is the Leader of the Opposition finished? The hon. member for Thunder Bay.

Mr. R. F. Nixon: I may have a little more coming on later.

Mr. Maeck: You haven't got much to say anyway.

Mr. Stokes: Section 9 gives them their reason for being. It says, "The objects of the authority are subject to the Crown Timber Act, to harvest Crown timber and produce logs therefrom and to sort, sell, supply and deliver the logs." Does this mean that the authority will be charged the regular dues that accrue to the province as a result of the exploitation of our timber resources anyplace else in the province? Are you going to go in and send scalers and say that a thousand board feet of a certain species is worth so much in stumpage dues, a thousand board feet of something else is worth something else?

Are you going to charge them that or are you going to let the authority off scot-free, so that if it is a very marginal operation it could be that the people in the Province of Ontario generally could get nothing out of it? I am wondering, when you say "subject to the Crown Timber Act," do all of the provisions of the Crown Timber Act apply to the Algonquin Forestry Authority?

Hon. Mr. Bernier: Yes, Mr. Chairman, I want to say I am surprised that the member for Thunder Bay would refer to the "exploitation" of our timber resources.

Mr. Deans: Exploitation is not a nasty word.

Mr. Stokes: I used to think that that was a nasty word too. Go and read it. Look in the dictionary.

Hon. Mr. Bernier: His emphasis is on that word.

Mr. Deans: Exploitation has a very simple meaning.

Mr. Chairman: Order.

Hon. Mr. Bernier: A member who has so much forest activity in his riding should refer to that as the harvesting of our forest resources because of the amount of jobs that our forest resources provide.

Mr. Stokes: You don't know the meaning of the word.

Hon. Mr. Bernier: To refer to it as a raping or a devastation or an exploitation, to me is just not palatable with the operation of that member's riding. I am sure his people back home wouldn't like him to say that.

Mr. R. F. Nixon: No one used the word "rape."

Mr. Ferrier: Your sermonizing is right off.

Mr. Stokes: If I thought it was rape, I would say rape.

Hon. Mr. Bernier: It's amazing that you would refer to that.

Mr. Reid: He does know the difference.

Hon. Mr. Grossman: Can we keep this clean, please, Mr. Chairman?

Hon. Mr. Bernier: Mr. Chairman, all the aspects of the Crown Timber Act will apply. They will pay Crown stumpage dues and they will pay forest protection costs. They will be subject to any ordinary costs that apply to any company or any other licensee.

Mr. Stokes: When you say sell, obviously the authority is going to have to determine the price at which it sells the various species, having regard for the cost of getting it out. Because of the physical characteristics in Algonquin Park, some of the harvesting, if you find that more to your liking, is going to be more expensive than others, because of terrain and because of road access and things of that nature. Is all of this going to be done on a self-sustaining basis, so that we don't go in and take over the responsibility for harvesting, sorting and selling from the 18 licence holders, but we say, "We will do it in the way that we think is in the best interests of the people of the Province of Ontario and you will pay cost, plus a fair return for the operation to make the entire operation self-liquidating"?

Hon. Mr. Bernier: Yes, Mr. Chairman, that is exactly the way we are going. They have to operate on that basis. They will operate like a company. They are not there to make money; they are not there to exploit the industry.

Mr. Stokes: They are not there to make money?

Hon. Mr. Bernier: No, they are not.

Mr. Reid: They are not there to make money, but they are going to operate there.

Mr. Stokes: Tell me any other company in the province that isn't there to make money.

Hon. Mr. Bernier: They are not. The goal is not a profit-making organization. It may well be that they will have a profit. If they do, there is a section of this bill where that profit can be turned back.

Mr. Reid: It mentions it right in the bill.

Mr. R. F. Nixon: Why not make a profit?

Hon. Mr. Bernier: We don't want to put those industries out of the economic market by pricing the product out of line. They have to operate as efficiently and as effectively as possible to make the deal easier or make it possible for those present industries operating in that area now to compete on the overall market. It may well be that on some days they will make a profit, because if they go with the market they could make money, but it's not the ultimate goal. They will be paying their Crown dues, their forest protection charges and everything like that, which will accrue to the province.

Mr. Chairman: The member for Rainy River.

Mr. Reid: Mr. Chairman, section 9, subsection (4)—

Mr. Chairman: Are all subsections prior to subsection (4) carried?

Mr. Stokes: I was going to speak on subsection (2).

Mr. Chairman: Okay, subsection (2).

Mr. Stokes: Subsection (2) says, "The authority shall carry out its objects in Algonquin Provincial Park and in respect of Crown timber on such lands adjacent thereto as may be designated by the Lieutenant Governor in Council." I want to know, if it's possible, to what you are referring when you say other lands adjacent to the park. Are you talking

about within the 50-mile periphery or those just immediately adjacent?

If that's what it means, I would welcome it. I hope that the terms of reference laid down by the ministry for the authority are not only the harvesting or the exploitation of timber values but the silviculture that I spoke of this afternoon, so that you are not just going to mine the resource in the park, but you are going to see that it renews itself and, to use your own words, "you get a better park out of it."

I suggest you should be doing this and it should be quite clear in the mandate given to the authority that they have the responsibility of managing the land—not only the harvesting, selling and sorting of the resource, but managing—so that ultimately you can phase out your operation in the park if you manage these lands that are referred to in subsection (2) of section 9, as "on such lands adjacent thereto." If that is the kind of thing you are going to do, I welcome it.

Hon. Mr. Bernier: I refer the member to clauses (a) and (b) of section 9 (1) which clearly spell out the objects of the authority "to perform, undertake and carry out such forestry, land management and other programmes and projects as the ministry may authorize; and to advise the minister on forestry and land management programmes." I think that is the point you were trying to make.

Mr. Stokes: Yes, but it doesn't spell it out.

Hon. Mr. Bernier: Well, it's there.

Mr. Stokes: It doesn't say anything about silviculture, reforestation, thinning or anything of that nature. We've got that land management in northwestern Ontario, but it has no meaning insofar as silvicultural practices go.

Hon. Mr. Bernier: I thought there was a section here that made reference to that, Mr. Chairman.

Mr. Reid: Have you read the bill?

Hon. Mr. Bernier: Oh yes; I've got it.

Mr. Reid: Do you know what it meant?

Mr. Stokes: I see no reference to proper forest management in this bill at all. I see land management; I see nothing about silviculture.

Mr. Reid: In section 9 on the next page all they are talking about is logging.

Mr. R. F. Nixon: The minister is going to decide all those matters. It says: "The minister may determine for the authority."

Mr. J. R. Breithaupt (Kitchener): There will be regulations.

Mr. Stokes: Surely when you are going in to harvest the values in a provincial park, you have a responsibility to indicate, if not to the opposition, to the people of the Province of Ontario that you are going to give high priority to good forest management policies which would include reforestation, silviculture, thinning, proper selection of replanting stock and all of these things. There is no mention made of it at all in here, not even in the park let alone on the adjacent lands we were talking of just a minute ago.

Hon. Mr. Bernier: Those things are clearly spelled out under the Crown Timber Act. When they submit to us their management plans, then we apply the restrictions to which you refer, as we do to any company.

Mr. Stokes: Yes, but it's entirely different. Under the Crown Timber Act your ministry has accepted the responsibility for all of these things. I want to know whether you are transferring the responsibility for proper forest management to the authority, or after they have harvested the resource is your ministry going to go in and rehabilitate those sites? That is what the Crown Timber Act says.

You are going to have your authority contract out the work for harvesting, sorting and selling. Then when they get all finished, if I can accept your statement at face value, you are going to send people in from your ministry to rehabilitate those sites.

Mr. R. F. Nixon: Here comes the answer by pony express.

Mr. Reid: It says play dumb.

Mr. R. F. Nixon: Don't answer.

Hon. Mr. Bernier: It has just been pointed out to me, Mr. Chairman, that the reference to forestry in that section—

Mr. Stokes: Do you mean forestry as we know it outside the park?

Hon. Mr. Bernier: —takes in silviculture, regeneration, pruning and thinning.

Mr. Stokes: And that's done by your ministry, you say?

Hon. Mr. Bernier: No, it's done by the authority. It's spelled out right here.

Mr. Stokes: No it isn't. It's done by your ministry. Under the Crown Timber Act it is done by your ministry; that is what it says.

Hon. Mr. Bernier: It's spelled out right here.

Mr. Stokes: It says, "Subject to the Crown Timber Act, to harvest," etc.

Hon. Mr. Bernier: Right. As it's done anywhere else in the province. Anywhere else it's done the same way; the same things will apply. There is nothing different.

Mr. Stokes: So you are going to go in and rehabilitate the sites?

Hon. Mr. Bernier: With their co-operation, yes.

Mr. Chairman: Subsection 4. The member for Rainy River.

Mr. Reid: Mr. Chairman, again we have the minister directly controlling the authority and telling them what they can and can't do. "The authority is responsible to and subject to the direction and control of the minister . . ." and then in sections (a), (b) and (c) we lay down three specifics, putting them directly under the thumb and the control of the minister. Again we see that there really is very little or no purpose to this bill as such.

In section (b) relating to the general requirements for which the authority must answer to the minister, it says: "Social objectives aimed at maintaining or improving employment levels in the forest industry . . ." I suppose that's a social objective. I would have thought a social objective also would be to maintain, as much as possible, the ecology and wilderness aspect of Algonquin Park, and it's rather interesting that that isn't one of the main concerns of the minister in this section. He gets to that in section 11, of course, but it's interesting that when he specifically lays down what the authority must answer for, that particular aspect isn't also a concern of theirs.

Hon. Mr. Bernier: Again, Mr. Chairman, I must point out to the hon. member that he must realize this authority is an agency of Her Majesty, and there has to be that kind of control in the interest of the public at large. The control that will by administered by the Ministry of Natural Resources has to be there in the best interests of the park and of all the people. This authority is just operating as an authority and is an agency of Her Majesty. If you keep it in that context, then it's obvious we have to control it.

Mr. Reid: I think the minister, with unerring accuracy, has missed the point. We don't see any reason for the necessity of this in the first place. And from what's in the bill and your responses, you obviously don't have any reason for it either, other than to provide a scapegoat for those people who are going to complain about the operations in the park.

Mr. Chairman: Shall section 9 carry?

Mr. R. F. Nixon: No.

Mr. Chairman: The hon. member for Thunder Bay.

Mr. Stokes: Will the minister accept an addition to this section which would read, say, "in keeping with the overall objective of the province for good silvicultural and forest management practices"? Nowhere does this bill even make a vague reference to it.

Hon. Mr. Bernier: Say that again.

Mr. Stokes: In keeping with good silvicultural and forest management practices.

Hon. Mr. Bernier: You'd better get a better word than "good".

An hon. member: Acceptable.

Mr. Stokes: "Acceptable" would be all right.

Mr. R. F. Nixon: That will stand up in court.

Hon. Mr. Grossman: There's not a lawyer in the House.

Mr. Reid: They don't want any part of this bill.

Hon. Mr. Bernier: The legal people tell me the Crown Timber Act clearly spells out what are good silvicultural practices. If those are followed, and they will be because it's spelled out here that they must comply with the Crown Timber Act, there is little value repeating it in this Act in that way.

Mr. Stokes: It is just that you are dealing with the values that are contained in a provincial park where everybody is pretty uptight. Well, I am not saying everybody; but there are a lot of people who feel there should be additional safeguards in the orderly exploitation of wood fibre within the confines of a park as opposed to an area that's

specifically designed for the expoitation of wood fibre as a crop.

I am sure that those who set up a provincial park didn't envisage that as a prime source of wood fibre. But if it's necessary to sustain industries on the periphery of the park, because those values aren't available elsewhere, I think that at least we are entitled to have some mention made of it in this Bill 155 setting up the Algonquin Forestry Authority. We should at least give a couple of words to the overall aims and objectives of your park classification right throughout the province.

Hon. Mr. Bernier: Mr. Chairman, I just see no necessity of adding something that would be repetitious or maybe—

Mr. Stokes: Repetitious? Show me where it appears.

Hon. Mr. Bernier: It's in the Crown Timber Act.

Mr. Stokes: It is not in this Act.

Hon. Mr. Bernier: It is here. It says "subject to the Crown Timber Act."

Mr. Stokes: This is the first time that you have ever had a piece of legislation that authorizes specifically the harvesting of timber within the confines of any provincial park. Now I am not saying it doesn't go on in other provincial parks. It goes on in Lake Superior Park. It did, until very recently, go on in Quetico Park.

But here you are talking about the multiple-use concept, that on the advice of an advisory committee you go ahead and do a minimum of cutting in a park. This is the first piece of legislation that I have ever known where you actually call for the harvesting of timber in a provincial park.

All I am asking is that you give us these kind of safeguards so that they will treat it in a very special way; so that it's a policy that is a departure from anything that has gone on before.

We realize that Algonquin Park is something that everybody looks to as one of the most valuable recreational assets that we have in the Province of Ontario. All I am asking the minister and his ministry is to accept it for what it really is. You have already designated it as a multi-purpose resource. All I am saying is that in the orderly expoitation of the resource, as you call it, that you build in safeguards, so that five, 10 years from now, they will say: "Well they had in mind so and so, and by gosh we had better live up to that directive."

Hon. Mr. Bernier: Mr. Chairman, I think the member hit on a point that's in subsection (3) of section 11. If you will read that section, I think you will see that fulfils your requirement in looking after—

Mr. Reid: Oh, it doesn't at all.

Hon. Mr. Bernier: —the aesthetics. There is full regard for the aesthetics, the ecology and other qualities of park environment. That's carefully spelled out there.

Mr. Reid: Is that subsection (3) of section 11?

Hon. Mr. Bernier: Yes, subsection (3) of section 11.

Mr. Stokes: There is no mention made of it. All it makes is a reference to the master plan.

Hon. Mr. Bernier: It is in the master plan.

Mr. Stokes: I know, but who is going to look at the master plan five years from now?

Hon. Mr. Bernier: Well now wait a minute; now just hold on, stop right there. That master plan was a lot of work. Seven or eight years of work went into that; a lot of public involvement, many meetings, reviews. That is the bible for Algonquin Park, and let's not forget that. Let's not treat this lightly.

Mr. Ferrier: Until there is a change in government.

Hon. Mr. Bernier: And that will be the same thing for every provincial park.

Mr. Stokes: Well, I just hope we are not back here two or three years from now saying: "Had you put that in the legislation"—

Mr. Reid: When I am minister, I will.

Mr. R. F. Nixon: Sounds like a reasonable safeguard.

Mr. Stokes: I don't think it is too much to ask.

Hon. Mr. Grossman: Are you making promises?

Mr. Chairman: Section 9 carried?

Mr. Reid: No.

Mr. Chairman: All those in favour of section 9 please say "aye."

All opposed say "nay."

In my opinion, the "ayes" have it.

Section 9 agreed to.

On section 10:

Mr. Chairman: Section 10; the member for Rainy River.

Mr. Reid: Thank you, Mr. Chairman. I wonder if the minister, in his wild imaginings, can give us some idea of the extraprovincial powers and rights that he envisages this Algonquin authority might have? Just what are you talking about and what do you have in mind?

Hon. Mr. Bernier: What section is that?

Mr. Reid: Section 10. We're going at them one by one. The next one will be 11.

Mr. Breithaupt: It's the one after 9.

Mr. R. F. Nixon: "The powers of a natural person." That really is quite an amazing feat of the Legislature. Perhaps we could do something for the policy minister in that regard.

Hon. Mr. Bernier: This is a legal term, Mr. Chairman. It provides assurance to the commercial community that it can deal with the authority without being inhiibted by a swamp of legal rules related to the capacity and the power of the corporation to act. I think, as an example, the authority may have to sue in court in another province or territory to recover a debt or to enforce some obligation, and under this section they are able to do that.

Mr. Stokes: Why do the people in the authority need these powers? It says "capacity of a natural person" and powers to act outside of Ontario. If their responsibilities, as outlined by this Act, are confined specifically to Algonquin Park and certain restricted areas on the periphery of the park, why do they need these additional powers, except extraprovincial powers and rights? What's the need for these extra rights and extra powers?

Hon. Mr. Bernier: It's a safeguard, really, for the community.

Mr. Stokes: For what? How do you envisage they'll ever need it?

Hon. Mr. Bernier: In case they're involved with some jurisdiction and have to go to another court. Maybe they have to go to the Province of Quebec for something that they've done, something that they've bought or something they've engaged in. There could be all kinds of reasons.

Mr. Good: Read the note.

Hon. Mr. Bernier: They may have to go to Quebec and bring them back or something. It's just a safeguard, really.

Mr. Stokes: I'm no legal beagle but I've never heard of that.

Hon. Mr. Bernier: No, I'm not either.

Mr. Reid: Perhaps the minister could interpret subsection (2) then? It says:

> No act of the authority and no transfer of real or personal property to or by the authority is invalid by reason of the fact that the authority was without capacity or power to do such act or make or receive such transfer.

It seems to me that McRuer said at one point that we should frame our laws so they're intelligible to the ordinary common layman, so that he can pick up a piece of legislation and understand what it means. Does the minister know what that means?

An hon. member: The chairman will interpret for us.

Hon. Mr. Bernier: Yes. This bill makes it very clear, Mr. Chairman, to the commercial and industrial community that there are no stumbling blocks when they deal with the authority. It gives them a little more teeth. It spells out all the legal problems that may come up for the authority.

Mr. Reid: Obviously the minister is as vague about this as I am. Are you trying to tell me that what we're doing in subsection 2 of section 10 is saying, "even if the authority didn't have the powers when you dealt with them, they have them"? That's the way it reads.

Mr. Good: That's right.

Hon. Mr. Bernier: They have them now. The thing is, they're set up as a legal entity.

Mr. Reid: But if I can read plain English it says that the authority cannot do something that's invalid, even if they didn't have the authority to do it.

Mr. B. Newman (Windsor-Walkerville): Sure, the last two lines, "the authority was without capacity or power to do such act."

Mr. Reid: I'm sorry, it boggles my mind.

Mr. Maeck: That doesn't take much.

Mr. Reid: How can somebody not have the power to do something and yet still have the power to do it? That's what you're saying, in effect.

Hon. Mr. Grossman: Come on, Jim, explain it to him.

Mr. Stokes: I never thought I would ever see the day when I would want to have a lawyer in the House.

Mr. Ferrier: You mean you cannot come to his rescue, Allan?

Hon. Mr. Bernier: This is couched in legal language and I am assured that it is a protection for the business community; further than that, there may be some lawyers that want to comment. My hon. friend here, who is a QC, may want to comment on it.

Mr. Reid: Mr. Chairman, I don't mean to belabour this, but it says: "No act of the authority and no transfer of real or personal property to or by the authority is invalid"—all right—"by reason of the fact that the authority was without capacity or power to do such act, or make or receive such transfer." How can the authority receive property or transfer property when they didn't have the power to transfer or to receive that property? Does it make sense?

Hon. Mr. Grossman: This bill gives them that authority.

Mr. Breithaupt: Mr. Chairman, if I could speak on this section, at least as I understand it, the reasoning, I think, for putting in this kind of a saving power for the authority is to prevent the pleading in court under any claim or action that the authority was without the power to do certain things. This bars the pleading, in other words, of any defendant, who is stopped from stating that the authority did not have the power to do something. The end result is that a case would have to be heard on its merits, and the matter of constitutionality or the lack of authority is not something which could otherwise be pleaded.

Mr. Good: But it is a bad section.

Section 10 agreed to.

On section 11:

Mr. Chairman: Is section 11 carried? Section 12?

Mr. Reid: Mr. Chairman, we haven't done 11 yet.

Mr. Chairman. Well I said "carried", and nobody—

Mr. Reid: That was section 10.

Mr. Chairman: Oh I said section 11 too and went on to 12; but for the sake of the member for Rainy River I will go back to 11.

Mr. Reid: I just wonder about the wording of section 11. It says the minister shall prepare a master plan, and he was waving around the bible just a few minutes ago. Are you going to revise the plan your own little self and come up with something else, or is that it?

Hon. Mr. Bernier: This is it right here, Mr. Chairman. It was tabled in the Legislature some time ago.

Mr. Reid: Yes, I realize that; but why does it say "the minister shall prepare" when you already have it in your hot little hand?

Hon. Mr. Bernier: As I pointed out to you some time ago this can be reviewed by the parks council.

Mr. Reid: That's the one we are going to operate on?

Hon. Mr. Bernier: Yes. Every five years a certain section can be changed or altered; that is the reason it is worded that way.

Mr. Reid: On subsection (2) then, we are talking about amending it again. I notice that it gives the minister authority to amend the Act but it doesn't give the authority any authority to amend the Act; which may be a good thing, but it doesn't even give them any power or authority to make recommendations for amendments to the minister.

Hon. Mr. Bernier: I think this is set up, Mr. Chairman, through the overall parks council. They will be doing the monitoring of the master plan and the implementation of that master plan by the ministry and by the Algonquin Forestry Authority. So I would suspect that the input to the parks council would come directly from the authority itself and funnel up that way.

Mr. Reid: So we are back to square one. This authority is only going to manage the selling and harvesting of the lots?

Hon. Mr. Bernier: Yes, that is what the terms of reference are for.

Mr. Reid: That's right, and that's a waste of taxpayers' money.

Mr. Chairman: Section 11 carried?

All those in favour of section 11 please say "aye."

All those opposed say "nay".

In my opinion the "ayes" have it.

Section 11 agreed to.

On section 12:

Mr. Reid: Mr. Chairman, we are back again to something we have already talked about, the cost. I notice we are talking about grants and loans to the authority. Are we envisaging seed money to set the authority up to begin with and then loaning them money from there on for ever and ever?

Hon. Mr. Bernier: It may well be, Mr. Chairman, that we will want the authority to do certain work beyond and above their harvesting operations, in which case we would pay them a grant; or it may well be they will be borrowing money.

This allows us to loan them money to get them operational, and this will take time to establish. I don't see the authority going into operation tomorrow morning, it is going to be phased in over a long period of time.

Mr. Stokes: I can see loans being a very real and valid part of section 12; but if it's going to be self-liquidating and on a self-sustaining basis, why do you give grants?

Hon. Mr. Bernier: There may be, as I said, things arise, or actions that we want the authority to take in Algonquin Park that we can't work any other way. The best we could do would be to pay them a grant and ask them to do that particular job.

Mr. Stokes: It is not within their terms of reference.

Mr. Chairman: Does section 12 carry?

Section 12 agreed to.

On section 13:

Mr. Breithaupt: Just one point on section 13, Mr. Chairman, and that is on subsection (3). I think it might be worthwhile for the minister to have the word "chartered" put in front of the word "bank" in the second line.

Hon. Mr. Bernier: Yes, I accept that. Would you add that, Mr. Chairman?

Mr. Chairman: Yes: "The authority may, with the approval of the minister, maintain in its name one or more accounts in any chartered bank or trust company company."

Hon. Mr. Bernier: Yes, I'll accept that.

Mr. R. F. Nixon: Is that by motion?

Mr. Chairman: I guess to do it legally and right, we had better have a motion by the hon. member for Kitchener.

Hon. Mr. Bernier moves that the word "chartered" be added before the word "bank" in subsection (3) of section 13.

Motion agreed to.

Mr. Chairman: Is section 13 agreed to then?

Mr. Stokes: No, wait a minute. On subsection (2) of section 13:

> The authority may temporarily invest any surplus moneys not immediately required for its object in any securities issued by or guaranteed as to principal and interest by the Province of Ontario, any other province of Canada, or Canada.

If you say we're not in the business of making a profit, how do you rationalize that with subsection (2) of section 13? What do you see surplus moneys as being?

Hon. Mr. Bernier: We envision they will operate on the market demand. I don't think that because they're operating extremely efficiently and they do lower their cost, that that cost necessarily be borne or passed on to the industries in the area.

In other words, they shouldn't be getting cheap wood because the authority is so efficient. They should be maintaining a fair market price for the commodity that comes out of there. This could well generate a surplus, if they're operating in the overall picture and competing with the other 140 industries in the area. There may be funds accrue from that differential. It will come from that.

Mr. Stokes: All right. As a result of the harvesting operations—sorting and selling within the park—do you see any possibility of your authority setting the price that the purchaser, or the user, or the processor of that wood will pay that may detrimentally affect the ability of other users outside of the park?

I'm sure you have volume agreements. You have licences that are in effect outside of the park. There are many wood-using industries that purchase timber from private lands; not as much as we would hope, but there are a certain amount. How do you see the price-setting policies of the authority

affecting those operations that are carried on within the periphery?

Hon. Mr. Bernier: That is the point I was trying to make a moment ago, that I don't think that if the authority is operating so efficiently that it maybe could produce, say, pulpwood or veneer bolts at a very modest price, that should be passed on to those industries, because then there would be unfair competition, really, at the expense of the authority. I think the authority will have to look at the overall region and see what hardwood bolts are selling for per cunit, and maintain that present structure and that present price level. I don't think they should be underselling.

Mr. Stokes: Because you could, inadvertently, be putting a lot of people out of business.

Hon. Mr. Bernier: That's exactly right; putting them out of business. This is where a surplus may accrue, and hopefully will.

Section 13, as amended, agreed to.

Mr. Chairman: Any comments on any other section of the bill?

Mr. Reid: I have some on section 18.

Sections 14 to 17, inclusive, agreed to.

On section 18:

Mr. Chairman: The member for Rainy River.

Mr. Reid: Thank you, Mr. Chairman. I have just one question of the minister.

Section 18 deals with the Provincial Auditor auditing the books of the authority and presenting his report to the minister and to the authority. Does this preclude or do away with the necessity of the Provincial Auditor reporting to the assembly through his general report, and thence to the public accounts committee?

Hon. Mr. Bernier: No Mr. Chairman, I think we would take the normal steps. We would set up the Provincial Auditor to do that audit. That report, of course, would be tabled through the Ministry of Natural Resources, so it would be open to all members of the Legislature, and the public accounts committee could examine it too.

Section 18 agreed to.

On section 19:

Mr. Chairman: The member for Thunder Bay.

Mr. Stokes: The minister in his statement this afternoon said that all present licences within the park will be cancelled and substituted for by volume agreements. Now in section 19 the minister says that the Lieutenant Governor in Council may, by order in council, terminate any licence heretofore granted under the Crown Timber Act.

Now there is a conflict in what is said in the Act and what the minister assured us of this afternoon. What is the status of present licences within the park? I understand that some of them have a year to go, some two years; I don't know of any that are for a greater length of time than that. Does this mean that with the passage of this Act—well, obviously it doesn't, because it says "may" rather than "will," as was stated by the minister earlier today.

Is there not a conflict in what the minister promised us in his windup remarks on second reading and what is actually contained here? It's a discretionary power on the part of the Lieutenant Governor, when in fact we have had an assurance from the minister that all present licences will be cancelled. It doesn't say anything about letting them run to the end of their normal life. Would the minister care to elaborate on what he said this afternoon and what is actually contained in this section?

Hon. Mr. Bernier: Mr. Chairman, there are, as I pointed out this afternoon, 18 companies that hold licences in the park itself. As I pointed out on a number of occasions, we have extended the licence period on some of those. They are on an annual basis, so it wasn't a real problem. Many of them terminate on March 31, 1975; this Act will just save us making all the orders in council and cancelling all those licences in that manner. We can do it by a section of the Act, and that is the purpose of this section, to do it with one fell swoop. So they all go at the same time. A notice goes out to the licensee and the holder now.

Mr. Stokes: What happens, then, with regard to those licences that may expire, say in March of 1975, as opposed to those which may run for a longer period of time? Aren't you going to be in a position where it would appear that you are discriminating against certain companies by substituting a volume agreement in place of a licence, until you reach the time when all of the licences that are presently held in the park reach their expiry date?

There is a discretionary power left with the minister. There's nothing that says you can

renew them, but the assurance you gave this afternoon was that they would all be cancelled. Now there is some indication that you are going to let them run out to their full time or their expiry dates. So I think we have a right to know just what your intentions are in that regard.

Hon. Mr. Bernier: Mr. Chairman, this section of the Act cancels all those licences. There is no further extension after March 31 on those 18 licences. As I pointed out, many of them expire on March 31. There are some that go to 1976; one or two go to 1981; but 95 per cent of them expire on March 31. So they will all go, regardless of when—

Mr. Stokes: Why don't you say "will" instead of "may"?

Hon. Mr. Bernier: We could put "will."

Mr. Stokes: "May" is discretionary.

Hon. Mr. Bernier: Yes. "Will" makes it stronger; we'll do it.

Mr. Stokes: Why don't you change it to "will" then?

Hon. Mr. Bernier: I'd be glad to take your recommendation.

Hon. Mr. Bernier moves that the word "may" in line 4 of subsection (1) of section 19 be changed to "will."

Motion agreed to.

Mr. Chairman: Any other comments on section 19?

Mr. Stokes: On subsection (4) of section 19, who will draw up the management plan? Will this be done by the ministry?

I can readily appreciate that just because you have a master plan there it wouldn't cover every eventuality in the park. Say you had a budworm infestation as you've had this past year or two with regard to jackpine. Obviously the minister himself wouldn't be in a position to monitor this on an ongoing basis, but somebody who is directly involved in the park on a regular basis might see that some kind of therapeutic or cosmetic treatment might be necessary.

Who is going to set up the management plans to cover any eventuality within the park?

Hon. Mr. Bernier: Mr. Chairman, the authority would be responsible for setting up that management plan, of course. It would then be approved by the minister as to the Crown Timber Act, as to the Algonquin Park master plan and any of the things that you point out—infestation from disease or something that may require some changes in the plan. So they would prepare the initial plan, and then it is approved by ministry officials.

Mr. Chairman: Any other comment on section 19?

Section 19, as amended, agreed to.

On section 20:

Mr. Reid: Section 20.

Mr. Chairman: The hon. member for Rainy River.

Mr. Reid: Mr. Chairman, section 20 continues the vagueness of the bill. Does the minister have any idea when the bill might go into effect? Is the reason it is not being proclaimed immediately because he hasn't appointed the authority?

Hon. Mr. Bernier: That's one of the reasons, Mr. Chairman. We are searching for the people for the authority, and we are shooting for a target of April 1, 1975. But it will be proclaimed in plenty of time for us to cancel licences and to start the operation moving ahead.

Mr. Chairman: Shall section 20 carry?

Section 20 agreed to.

Mr. Chairman: Shall section 21 carry?

Section 21 agreed to.

Mr. Chairman: Shall the bill, as amended, be reported?

Bill 155, as amended, reported.

Hon. Mr. Grossman moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill with certain amendments and asks for leave to sit again.

Report agreed to.

MINISTRY OF COMMUNITY AND SOCIAL SERVICES ACT

Hon. Mr. Brunelle moves second reading of Bill 148, An Act to amend the Ministry of Community and Social Services Act.

Mr. J. R. Breithaupt (Kitchener): Does the minister have any opening remarks, Mr. Speaker?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, I did not intend to. I could briefly outline the main purposes of this bill. The first purpose is to transfer the provisions establishing the family benefits board of review to this Act from the Family Benefits Act and to change its name to the social assistance review board. Four Acts will be administered under this board, the Family Benefits Act, the General Welfare Act, the Vocational Rehabilitation Services Act and the Ontario Guaranteed Annual Income Act of 1974.

Another main purpose of this bill is to enable the board to pay expenses of parties or witnesses to a hearing in case of financial hardship. This will apply mainly in remote areas of northern Ontario or eastern Ontario or any part of Ontario where the appellants may have to travel some distance. This was requested during the estimates and on another occasion.

The third provision will authorize the delegation of statutory powers and duties pursuant to written appointment by the minister.

The fourth main provision will provide qualified immunity from civil suit for individual employees of the ministry, which I understand is the practice in many other Acts. Those are the main provisions of this bill.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: Mr. Speaker, there are just a couple of points in the bill that I would like to refer to and some suggestions for improvements I'd like to make which the minister might wish to consider.

Our main area of concern relates to the items set out in section 6, whereby in effect there is a new section 7c added to the Act. In section 7c confirmation is made that the hearings of this new board are going to be in camera. I think there are some very strong reservations, at least as they have been expressed to the opposition, among certain low-income groups that the in-camera provision should not be a mandatory one. We think that the bill would be improved if the minister considered an amendment which would allow an appeal to be heard in public if the recipient applicant requested that that should take place.

In the amendments made to the Family Benefits Act there is assistance extended now to an applicant during the period of time needed for the board to complete the review and render its decision. Now, in this matter the board has complete discretion, and the applicant really could be put to a serious disadvantage if he or she faces the prospect of being cut off from the support that has already been received from the statutory provisions that have existed for that person. The board has up to 40 days to hear an appeal and one would think that it would usually take one or two weeks to give its decision. As a result, I would suggest that the minister might well consider an amendment which would make the continuation of assistance mandatory during the period of the time that the board is considering the case and rendering its judgement.

This assistance, of course, might be considered to be recoverable if the board in its decision upholds the director, depending on the reasons for the director's cutting off of assistance or for making certain changes. But I think there might be some value in considering that the persons who are appealing it, when their benefits have been cut off, perhaps should have the onus reversed. In other words, they should be able to continue to receive certain benefits rather than waiting until the appeal decision comes down. It is true we might not in fact recover those benefits, but I think that some thought might be given to the proposition that the persons who are appealing and doing so in good conscience and for valid reasons should be able to receive assistance, at least to the time that the decision is made.

Another item that we had considered in reviewing this bill earlier on is that the applicant should have access to the appeal records, so that he or she may have the advantage of knowing how the board has disposed of similar cases. It might indeed be worthwhile for the ministry to keep on hand, or at least available to applicants—or to perhaps their solicitors or indeed to members of the House—a framework of decisions that were made by the board, so that we would be in a position to take a look at how a similar case might have been decided.

Of course, it's quite true that in circumstances like this each case is based very much on its merits and I don't think we want to get into a stare decisis situation whereby we feel bound by a decision made on what might appear to be a similar case but which really might have some quite different aspects

to it. However, I think it would be worthwhile if we had the opportunity of having some availability of reported decisions—not reported as to name necessarily, but reported just as to general circumstance. If that were the case then we might at least build up an available group of cases or of decisions which would lead the applicants to come to some conclusions as to whether their application would be worthwhile or likely to succeed.

One other point that I would like to make, Mr. Speaker, is with respect to the matter of transcript. Now, under section 7c(4), the bill does allow oral evidence to be recorded either by notes or by transcript or other means directed by the board itself, presumably through a voice recorder, for example. There is, however, no provision that the transcript of a hearing should be furnished at the request of the applicant. I would think that if a transcript were wanted by an applicant, then that transcript should at least be available on request.

I agree that it is in most cases perhaps unnecessary to have transcripts provided automatically; they usually are rather expensive to take. But at least some record of the notes should I think be available to the person who is an applicant if that person requests it. I also feel that the availability of that transcript should be clearly spelled out, preferably in the Act, so that anyone looking to see what his or her rights may be by referring to the statute will know that this is available should it be asked for.

We must after all remember, Mr. Speaker, that we are perhaps likely to be dealing with persons whose general knowledge of the law that we are all presumed to have may be at best a little spotty. As a result, I would think, if we spelled out this item, we would be doing a service to persons who might be looking particularly to this Act and not know the general terms as to what may or may not be available to them.

Of course if a transcript of proceedings is provided, the applicant must ordinarily pay for it. I would suggest that in circumstances such as this we can afford the cost of the person requesting it to be covered by the ministry, and that such a transcript, if requested, or a copy of the notes or summary, would be made at no expense to the person who is applying.

Those are my comments, basically, with respect to the items raised in section 6. As the minister had suggested in his opening remarks, there are some other amendments which deal with those four points that he raised. We are prepared to support them and accept their inclusion in the bill. I hope the comments that I made with respect to the items raised in section 6 may be of some use to the minister as we proceed with this bill.

Mr. Speaker: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Speaker. The major principle or change involved in this bill is the change from the board of review under the Family Benefits Act, which now becomes the social assistance review board in this Act to amend the Community and Social Services Act.

The problem here is that all the minister has done is to change the name, virtually, and this is certainly to be regretted. There certainly needs to be a change in the review board itself, and this was a real opportunity to come in and really make some meaningful changes in the review board itself. Changes are certainly overdue. In the 1972-1973 board of review annual report of the Ministry of Community and Social Services, it was reported that of the 1,791 appeal cases decided, 71 per cent of them were denied. If we have this many cases going to appeal and 71 per cent of them are denied, it gives me some suspicion that the review board was not operating in a way in which the clients were best served. Only 24.2 per cent of the appeals were granted in full and another 4.8 per cent granted in part. Here again, as I say, that causes some questions in my mind as to who the review board is serving. We have an opportunity in this bill, when we change the name and bring this same review board to cover three other review boards, to have a change in the review board itself.

The members, the chairman and the vice-chairman in this renamed board are presently those people who are already in office and they'll continue in that office until their normal term expires. So they're making no change in the composition of the board in this name change, and this would be the opportunity to have done it.

In the Swadron task force report on employment opportunities for welfare recipients, Swadron speaks directly to the review board and what it should be doing. Swadron recommends directly that the review board be replaced by an independent board of review, capable of functioning swiftly, established on a regional basis. The minister has totally rejected this concept.

If he is going to establish review boards on a regional basis, he certainly hasn't built

it into the legislation here. There's nothing in this bill that provides a regional basis for the review boards, which by itself would have helped to guarantee a swifter functioning of the review boards. With the members still all appointed by the Lieutenant Governor in Council and the old members of the review board just continued on, one really has some doubts about the independence of this board.

One other thing in the bill, with respect to the board, is that one man or one woman can form the review board and conduct a hearing and therefore, in effect—because that person must be present whenever that decision is made and no one else can really have a solid input on the decision—is going to be the person making the major decision. This can be as few as one person. Only one person is required as the quorum for the new, revised review board. There should at least be two persons, and that too should be written into the legislation, so that we would have more than one person having the major input on the decision.

When you look at some of the other review boards that have occurred around the country and see the way those review boards are set up, you realize just how poor a job, or how no job has been done at all in having a look at and revising this new review board.

In the Province of Manitoba, the review board there is a welfare advisory group composed of Indians, Metis and welfare rights groups. One of their tasks, as well as advising the ministry, is to be the appeal board. The quorum for any of those appeal boards hearings is three—rather than being as low as one in this Act. And it must include the chairman or the vice-chairman.

As far as regionalizing it, appeals are often heard right in the community and sometimes even in the homes of the clients.

Clients there are being encouraged to enter appeals by being told of their rights in many ways by provincial and municipal workers; instructed to so do. A pamphlet is also widely distributed by the welfare advisory committee. Needless to say, since this has gone into effect the number of appeals has dramatically increased.

As opposed to the 71 per cent of the cases that came before the old review board in Ontario that were against the clients, if you like, in the Manitoba review board only 30 per cent went against the clients. There was a larger number dismissed than was the case in Ontario; but of those cases that went to the full hearing, only 30 per cent of them went against the client.

In Saskatchewan, the composition of these review boards, in comparison with Ontario, really boggles the imagination. We could have such a good system here in Ontario. They have taken the Province of Saskatchewan and have regionalized it. They have broken it down into 11 welfare regions. Within some of those welfare regions they have organized local units. Here, again, on the local advisory committee there are nine people, three of whom function as the local appeal board.

And where do members of the advisory committee come from? They are set up to include, by a formula, elected representatives of the community at large and representatives of client groups. One of these boards has employed an Indian and a mothers' allowance recipient. Another has a child welfare ward, who is now presently a student. Another one has yet a foster mother.

There is no provision at all in the regulations for departmental staff to be members of the local advisory committee, but the department provides to those committees secretarial help and advisory service at both the local advisory committee level and in the regional areas. We don't have anything of that type here in this legislation, and we should have. This was the opportunity in this bill to do it.

Another point badly lacking in this bill and which should have been included, is the client representative. The Workmen's Compensation Board is now at the moment trying this in Ontario; it is a little too new to know whether it is going to be successful. The Workmen's Compensation Board is providing paid advisory help to those people appealing to the board. That is their sole function; to be out in the community helping the clients prepare their cases.

This also occurs in the Province of Saskatchewan in their review boards. They provide in each of the regional areas the appointment of an advocate with complete knowledge of the legislation and regulations; because that is all his job entails, by and large. He is available to represent any client who is unable to find someone to present his case and wishes to make a representation on his behalf. This is particularly important. I believe that your forms have been simplified a bit, but Swadron in his report has a word to say on this. "Without legal training, as matters now stand, the applicant or recipient has little going for him or her in being able to understand the review process."

Here in Saskatchewan they have recognized that a review process may be a little bit complicated and in each region they have supplied an advocate whose only job is make the review process understandable to the client appealing and to help present that client's case. This is something sadly lacking here.

We have some doubts about the Workmen's Compensation Board method of doing it, in that they are board employees and get their salary from that source and see themselves as such. The Saskatchewan method of appointing an advocate in the region—and he lives in that region and so on—appears to be a slightly better system. In the appointments of advocates to represent the clients, we would prefer, I suppose, an advocate chosen by the welfare or family benefits recipients in the area. That advocate appointed for that area, or for that region, by those groups concerned would receive funding according to the amount of work done on a set formula provided by the province. This should be done rather than have the advocate appointed directly from the ministry to those regions, because there could be a suggestion, with time, that he simply becomes another ministry official. But that would be better than none at all and this bill was an opportunity to bring that into effect.

Also, the provincial regulations in Saskatchewan have been recently amended to remove the prohibition against providing assistance to strikers where that need arises. They've specifically removed the prohibition against that, and I think we in Ontario could be a little clearer on this point. Here again, an amending Act of this type would be a proper place to bring it in.

One or two other small points about the Act. In section 5 the minister clarifies that items such as food, clothing and prosthetic appliances may be included in the purchases of services entered into by the ministry. That is a clarifying section, but nothing in this section that I can see allows specifically for an appeal before the review board if the special assistance is denied. The review board—unhappy as we are with it in its present form, and we are just transferring it over to the new name in its old form—should at least be able to be appealed to if special assistance such as that brought in and made clear in this section 5 on food, clothing and prosthetic devices, has been denied.

So, in speaking to the bill, Mr. Speaker, I'm concerned really about what has not been done more than with what is actually in the bill. In setting up the new appeals board this bill was an opportunity to ensure that this was a real change and one which served the clients in this province. Unfortunately, it is not.

We would certainly agree with most of the remarks made by the previous speaker with respect to giving to the recipient information and facts recorded at the board of review.

And we are in favour of subsection 7 of the new section 7c. It's one which has been pressed for for some time by the spokesman of our party in these matters, the member for Sudbury East (Mr. Martel). Where a request for a hearing has been made and the board of review is satisfied that there may be financial hardship in attending a board hearing, although we might go to the Manitoba situation where board hearings are held right in the client's homes, the board may pay part of your witnesses' travelling and living expenses necessary to attend that hearing.

It seems rather strange that having now made that amendment to the Act, which is a step forward, you don't make it much more strongly than that. The board, having satisfied themselves that there may be financial difficulties, that particular "may" should be changed to "shall." If they have determined that there may be some financial difficulties, then surely it's incumbent on the board to pay, and not have discretion at that point. The board cannot then decide whether or not they are going to.

And the second "may" should most certainly be changed to a "shall."

> Having determined that there may be financial difficulties, the board shall pay the party's or the witnesses' travelling and living expenses before the board.

Mr. Speaker, we are mainly disappointed in this bill in that so much could have been done in a bill dealing with a board of review; and that has not been done in this Act.

Mr. Speaker: The member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I don't intend to make lengthy comments concerning the bill. But I would like to point out to the minister one item concerning the bill that does disturb me a bit. That is, we all agree with the change of the name from "family benefits" to "social assistance," because I think the connotation of social assistance covers a wider range of assistance programmes than only family benefits.

But I don't understand why the minister wouldn't sort of follow the approach used by the Unemployment Insurance Commission in appointing boards on the local level. An individual who has a grievance with the Unemployment Insurance Commission and wishing to appeal the original decision, does normally have his appeal heard right in the community. To me, there would be no problem for the minister to set up appeal boards in the large urban areas so that your officials wouldn't have to be travelling throughout the province.

For example, my own community could have an appeal tribunal or an appeal board set up right in its community. Setting one up like that would do away with the need for the individual who has the appeal in front of the review board to travel any distance at all. He could be heard by the review board right in his own community; he would be at home. I would think that he would be a little more at ease in his own community; rather than having to travel any distance, or having the board come into the community to hear him.

And likewise, in subsection (6), where only one individual may be the review board, this does disturb me a bit. Because you are going to have just one individual decide as to whether the appellant is going to have his case adjudicated or judged fairly. It would be better by far if you would have at least two. If you hold it locally, you know yourself that the chance of having only one individual on the review board is very, very small. In my own community, unemployment insurance cases practically always have three people present for the case. The only time we have the two is when one of the three happens to be sick.

Now, the two areas that disturb me, Mr. Speaker, are the fact that you are not setting up these tribunals on a local level, especially in large municipalities. You are having the individual either travel to the review board, or you are having the review board come into the community. And the second is the fact that if you are having the individual travel to a review board, then it's a lot different for the individual; he doesn't feel that he or she is being treated in the same fashion that he would be treated were the case being held in his own community.

Mr. Speaker: The member for Cochrane South.

Mr. W. Ferrier (Cochrane South): Yes, Mr. Speaker, I just want to deal with one brief item. In changing the board of review to this other Act, as is being done here, I wonder if the minister might outline what policy he intends it to have in regard to bilingualism. Recently I had a couple of young ladies come into my office complaining about a hearing that their mother had been at in a place called Ramore which the minister knows very well. They said that the hearing had been held in such a way that a lot of English had been used and the woman couldn't understand it very well. I don't knuow whether that was so or not, but I know that there is one bilingual person on the board from the minister's riding, who is a very gracious lady and the kind of person we like to see on the board.

I would like the minister, if he would, in his remarks to tell me what policy direction he gives to his people in regard to holding hearings of the board of review or the new board as it is going to be called in French in those areas of the province where the person's first language is French. I think that that should be guaranteed. I hope that he will see that this practice is followed, because it puts poor people at a disadvantage if that is not carried out. You might carry it a step further in some instances where a person may have a language that is neither French nor English. Are there provisions made for translations in those cases? Do you bring a translator or an interpreter in and make sure that the person understands all that is going on and that the issues are clearly explained to them?

Perhaps the suggestions that have been made about having the board of review regionally operative have some merit, although I think some of the people are appointed from different parts of the province. I understand in my own area that a lot of the hearings do take place right in the homes or in the offices of the ministry. The thing that really concerns me is to make sure that for those people who are primarily French speaking the hearings will be held in French and that they will clearly have the opportunity to understand. If you need to appoint more people that are French to hear these hearings, then I hope that you will be prepared to do so.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): I just want to touch on one brief item dealing with section 4 which gives Indian bands authority to establish recreation committees and broadens the authority to establish joint recreation committees. We dealt with this pretty fairly

comprehensively in a previous bill but I just want to elicit from the minister, if I may, when there will be funds available for the setting up of recreational committees. I'm thinking in terms of an Indian band fairly close to an organized municipality. I can think of several, where you have an Indian band that doesn't have much by way of resources of its own but would like to participate with a neighbouring community that does, so that it too can participate.

I can think of Longlac where they have two separate independent Indian bands within a matter of a couple of miles from the township of Longlac. I can think of Heron Bay which has an Indian band just 10 miles away from Marathon. I would hope that the ministry would look kindly upon some form of assistance to that Indian band through the Community Centres Recreation Act to assist them so they could participate with an organized municipality in some of their ongoing recreational projects that they would never be able to accomplish by themselves.

There is another thing that I would like to call on the minister to do. He speaks in this bill in terms of joint recreational committees other than with Indian bands, where you have an unorganized community, such as Jellicoe which is 30 miles away from the township of Geraldton, where there may be some areas where they could co-operate to provide a much better and a much more extensive recreational programme if there was some provision in the Act to give them a little bit of seed money.

I am not suggesting that we are going to have a curling rink, a community hall and everything else in every small hamlet throughout the north. But in order to give some meaning to this section 4, I hope the minister will take into account that there are a good many people who would welcome this legislation but find themselves in a position of financial embarrassment where they don't have the seed money. In some cases maybe a few hundred dollars might make it possible for them to share a recreational director who would spend most of his time in the larger community, the community with the tax base; and by the expenditure of a certain amount of funds themselves, they would be able to get funding for partial payment of the services of a recreational director.

When the minister is formulating his regulations, I am asking if he will assist an unorganized community that can generate some funds by way of a bingo or the number of ways in which they do generate some funds in an unorganized hamlet, by taking into account those very special needs and by giving them a little bit of seed money. I am not talking of thousands of dollars, but in terms of a little bit of seed money that would allow them to participate in some of the recreational programmes and to have the expertise and guidance of a recreational director at least to institute some of the programmes that are appropriate either to Indian bands or to small unorganized hamlets that don't have the resources to do it on their own.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. minister.

Hon. Mr. Brunelle: Mr. Speaker, I listened with great interest to the various comments from the hon. members, and I wish to commend them. With the great majority, I am in agreement—not all, but the great majority. I'll deal with the comments of each member; and if I omit any of the comments that have been brought to my attention, I know they will remind me.

The hon. member for Kitchener, in reference to section 6, stating that hearings should be held in camera, said—if I understood him correctly—that he was not in agreement with that. But there is no change here; we are just transferring what was in the former Act to this Act. The reason for this is to protect the confidentiality of the hearing. However, Mr. Speaker, I wish to mention that there is nothing to prevent an appellant from having a solicitor, a member of Parliament, a minister or any person he wishes attend the hearing and assist him with his presentation. He is certainly permitted to do so.

The hon. member also raised the matter of interim payments. There is a provision in the Family Benefits Act for the board to order interim payments, after a request for appeal has been made to the board, until a decision has been rendered; and that is according to section 312(1)(a) of the Family Benefits Act.

The hon. member also mentioned that the ministry should make available decisions of hearings to the appellants. Mr. Speaker, since the beginning of this year, I believe, those decisions have been published, with the names of the appellants omitted. It is quite true that it is of help to those who wish to present their case to hear what decisions have been made in former cases, and that information now is made available.

The hon. member also referred to the transcripts of proceedings. If I understood him correctly, he said some record of the

notes should be made available to applicants if they request that. It is my understanding, and I can be corrected, that this is possible; that these notes can be made available. I would like to mention, Mr. Speaker, that we certainly try to provide every assistance possible to the appellants.

The hon. member for Windsor West made several comments and I must say that there are many that I am not in agreement with. He suggested that there should be changes made in the board itself, in the composition of the board and the way it operates, and he referred to several provinces—Manitoba, Saskatchewan and possibly others. I wish to say that our board of review, in my opinion, is a very competent board. It has been established since 1969 and I would say that it compares very favourably with any other board in Canada. Mind you, there are variations in some of the boards.

If I may say briefly, our board consists of 15 members who represent various geographical areas of this province. Out of the 15, three are bilingual and several members of the board speak several languages. I believe at least two, if not three, speak Italian fluently and there are some members of the board who speak several languages. The member made the suggestion that in Manitoba, I believe, they have on their board a representative from the native community, and I think that is a very good recommendation. It's one that we certainly would be pleased to keep in mind when we do make additions to the board.

Offhand I just don't know how many appeals are made by our native people. To my knowledge it's a very small number, but regardless of the number I think it's a very good suggestion. It's certainly one that we would be pleased to keep in mind.

The hon. member and some other members mentioned that the board should operate on a regional basis; while others said on a local community basis. Again, there are various views on this. We believe that our system works quite efficiently. The members go to the various areas where there are hearings, and then every Monday they come back to Toronto where they meet as a board and review the various cases and have legal advice and any other assistance that is required.

I would say the board is a very independent board. It's a board comprised of a variety of persons with quite wide experience. Many have had municipal experience. There's one member on the board who was at one time a social recipient himself. We have one member on the board who is a member of the legal profession. We have housewives and we have business people, so we have quite a wide variety of experience.

Mr. B. Newman: How many actually received welfare at one time or another?

Mr. Stokes: One.

Hon. Mr. Brunelle: There is only one who was at one time a welfare recipient, but in order to deal fairly with and to understand the problems of those who are appealing their cases, I do not believe it is necessary that a person himself or herself has had to be a recipient of social assistance.

Mr. B. Newman: The one who received the social assistance understands the problems far better than the Bay St. lawyeyr.

Hon. Mr. Brunelle: It could be, Mr. Speaker. I am not questioning that. What I am trying to say is that those members on the board are very sympathetic and I have not, to my knowledge, heard of any instances where there has been any criticism of the hearings of the board.

It was mentioned by several members that there should be more than one member. Normally there are at least two, and sometimes three, but it is not a requirement. I believe this came about from the report of Mr. Justice McRuer—and I can be corrected on this—that one member is sufficient. Normally there are at least two, and sometimes three, but even though there is only one member, as I said earlier, every Monday every case is dealt with by the entire board and it is thoroughly looked into. So there is involvement by the total board.

The hon. member for Windsor West suggested that special assistance cannot be appealed. Well, that is quite right. Under our existing legislation, as the hon. member knows, special or supplementary assistance is discretionary. It is given at the discretion of the local municipal administrator. However, I would like to mention that the board and also the director make every effort to contact the local municipality or county administrator, whatever the case may be, to try and assist the recipient in obtaining what he has requested. It's quite true that it cannot be appealed, because it is discretionary.

The hon. member referred also to the expenses. I believe that's section 7, which is a new section whereby the board may pay travelling expenses to appellants who incur expenses in going to a hearing, if the hearing is not held in their own community, and even

in their own community if they have to take a taxi or whatever costs they incur. Am I correct that it's the word "may" the member felt should be replaced by the word "shall"?

Mr. Bounsall: The second "may." There are two "may"s in the paragraph. I think the first "may" is all right and quite appropriate—it's the second "may" that should be "shall."

Hon. Mr. Brunelle: The wording is: ". . . that there may be financial hardship to a party or witness attending the hearing, the board may pay the party or witness travelling and living expenses necessary . . . " Personally, I would have no compunction in changing this to "shall." Certainly we're pleased to accept this recommendation. So we will change this to the word "shall."

The hon. member for Windsor-Walkerville mentioned that he didn't advocate the regional board but rather local boards within their own communities. Mr. Speaker, Windsor is quite a large city, and I'm not sure how we would do this. Whether we would have it on a population basis and have a board member in each large city—I think there would be problems. Right now, as I mentioned earlier, our board is composed of 15 members who can speak various languages. For instance—and I will come back to the hon. member in a few minutes—if it's, say, in a French-speaking area in eastern Ontario or northern Ontario, a bilingual person will go to that area.

Mr. B. Newman: But in the large urban areas there is more diversity as far as languages are concerned, and it would be better to be using it on a large municipal basis.

Mr. Speaker: Order, please. The debate is over. The minister has the floor.

Hon. Mr. Brunelle: Well, it's something, Mr. Speaker. On all these matters our views are to try to make the board as efficient and as responsive to the people as possible, and we would be pleased to consider this. We do not have closed minds on all these matters.

Mr. B. Newman: That is my suggestion.

Hon. Mr. Brunelle: So we would be pleased to look into this matter.

I think the hon. member suggested that there should be more than one member. Generally speaking, there is more than one member.

My colleague, the hon. member for Cochrane South, referred to the matter of bilingualism and the question of other languages. With reference first to bilingualism, as I mentioned earlier we have three members who are fluently bilingual and it is our policy that wherever a person is French speaking we try and have at least one member of the board who can speak French at the hearing.

When a member speaks languages other than French or English and does not understand either language, whatever the language is—German, Ukrainian, Spanish or Italian—we do make every attempt to provide interpreters for the hearing for the appellant. Certainly it is a very good recommendation.

Mr. Speaker, I may have omitted some of the matters that the hon. members have brought to my attention. If so, I would be pleased to try to reply.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand there has to be an amendment so it will have to go to the committee of the whole house.

Agreed.

GENERAL WELFARE ASSISTANCE ACT

Hon. Mr. Brunelle moves second reading of Bill 149, An Act to amend the General Welfare Assistance Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

VOCATIONAL REHABILITATION SERVICES ACT

Hon. Mr. Brunelle moves second reading of Bill 150, An Act to amend the Vocational Rehabilitation Services Act.

Mr. Speaker: Shall the motion carry?

Mr. B. Newman: Mr. Speaker, I wanted to make a few comments and suggestions to the minister. I was sort of shocked to hear this afternoon on my way to Toronto that there is no type of formal training for vocational rehabilitation officers to the best of my knowledge and to the knowledge of the individual with whom I discussed this topic,

and he happened to be a rehabilitation officer with the ministry. Everything seems to be on a trial and error, learn by experience basis.

May I suggest to the minister that he suggest to his colleague, the Minister of Colleges and Universities (Mr. Auld), that courses be set up in the community colleges and/or the universities to train and develop rehab officers, so that at least he would have a pool of individuals who could come right in and help him administer such legislation?

Hon. Mr. Brunelle: Mr. Speaker, I think it is an excellent recommendation and I would certainly be pleased to consider it.

Mr. Speaker: The motion is for second reading of Bill 150. Shall the motion carry?

The member for Windsor West.

Mr. Bounsall: Just very briefly, Mr. Speaker, on Bill 150, An Act to amend the Vocational Rehabilitation Services Act, this is the same sort of amendment Act in which the board is changed to come under the Ministry of Community and Social Services Act as before, the social assistance review board being the new name.

The comments that I would make on Bill 150 are the ones that I made on Bill 148, in terms of the composition of the board, and would have been the same under Bill 149 and would be the same under Bill 151, when and if we get to it.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

FAMILY BENEFITS ACT

Hon. Mr. Brunelle moves second reading of Bill 151, An Act to amend the Family Benefits Act.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 149, An Act to amend the General Welfare Assistance Act.

Bill 150, An Act to amend the Vocational Rehabilitation Services Act.

Bill 151, An Act to amend the Family Benefits Act.

Bill 155, An Act to incorporate the Algonquin Forestry Authority.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House I would like to say that tomorrow we will proceed in accordance with the direction that was given to the bills on Friday, and I will endeavour to have the provincial Treasurer (Mr. White) here to deal with his bills that were called.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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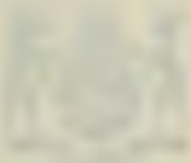
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Legislative Assembly of Ontario Debates

No. 142

Ontario

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OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Tuesday, December 3, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 3, 1974

The House met at 2 o'clock, p.m.

Prayers.

Mr. F. Young (Yorkview): Mr. Speaker, I would like to call to the attention of the House a group of grade 10 students and their teacher from Downsview Secondary School in North York. The school is located in the riding of Downsview, and some of the students come from my riding and some from the riding of the member for Downsview.

Mr. J. E. Stokes (Thunder Bay): What is this?

Mr. Young: In answer to that question, Mr. Speaker, during this week the grade 10s from this school are coming to visit the Legislature—yesterday, today, Thursday and next Monday—and the member for Downsview and I are co-operating to welcome these students and to call them to the attention of the House. I have given my welcome, and I am sure the member for Downsview would like to add a word to it.

Mr. V. M. Singer (Downsview): Mr. Speaker, if I may, I would join with the hon. member for Yorkview in welcoming the students from Downsview Secondary School. Those hon. members who are saying "What is this?" are jealous that the same things don't happen in their ridings. The borough of North York and the ridings of Downsview and Yorkview produce people who are interested in the affairs of this Legislature. So we join in welcoming them.

Mr. I. Deans (Wentworth): Well said.

Mr. Speaker: Statements by the ministry. The Minister of Agriculture and Food.

CEMA PROGRAMME

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I would like to make a statement in response to a question that was asked by the member for Huron (Mr. Riddell) on Ontario's position relative to the provincial ministers of agriculture report on the Canadian Egg Marketing Agency.

The provincial ministers of agriculture, meeting in Ottawa on Nov. 25, reviewed and discussed the report of their committee on the Canadian Egg Marketing Agency.

Here, Mr. Speaker, I would like to add as an aside—and this is not in the statement—that the committee that was established to prepare this study and report on the Canadian Egg Marketing Agency was set up at the Winnipeg meeting of the ministers and their deputies from across Canada, and consisted of a provincial marketing board official from each of the 10 provinces, with two from the marketing division of the Canada Department of Agriculture. The chairman of that committee was William Doyle, vice-chairman of the Ontario Farm Products Marketing Board.

The recommendations of the committee were adopted by the ministers, on division, in amended form, and were presented by the ministers to the federal Minister of Agriculture, the hon. Eugene Whelan.

The following is a summary of their recommendations with respect to the Canadian Egg Marketing Agency. The recommendations are in the areas of structure and administration, pricing and the quota system.

Structure and administration:

1. For an initial period of two years, CEMA should consist of a two-part administration:

(a) CEMA proper to consist of 10 provincial representatives, and

(b) A five-member executive committee.

2. The provincial representatives should be selected by the commodity egg board in each province and should be acceptable to the other signatories to the plan in each respective province.

3. The executive committee should consist of: three persons appointed by the federal minister after receiving nominations from the provincial ministers; the chairman and vice-chairman of the Canadian Egg Marketing Agency.

4. The division of powers and responsibilities between the executive committee and CEMA should be clearly defined. In general

terms, most of the direct power would be in the hands of the executive committee. The executive committee would, within the terms of its authority, initiate and implement policy.

5. A general manager, who would be responsible for implementing policy decisions on a day-to-day basis, should be engaged by the executive committee.

6. More effective use should be made of the consultative committee to CEMA. It should operate as an advisory group to the executive committee.

The National Farm Products Marketing Council should appoint an impartial person to be the chairman and also provide a secretary.

7. A committee representing the signatories to the plan should be established to meet semi-annually to review operations of the plan.

8. The executive committee should submit proposals to the National Farm Products Marketing Council for approval for the establishment of limitations on the actions of the agency in the areas of inventory, levy and cash flow.

With regard to pricing:

9. The executive committee should establish intervention prices at base points in all provinces in the following manner:

The executive committee should establish the cost of production in each province on a standard formula. The intervention price should then be established for a base point in the province of lowest cost. The intervention price at base points in all other provinces is then established by adding the normal freight charge on eggs from that base point to base points in all other provinces.

10. CEMA should purchase all within-quota surplus eggs at the intervention price.

11. Free movement of all within-quota eggs should be allowed, provided the landed price on an equal basis—bulk or packaged—and at an equivalent trade level in the province of destination, is now lower than the prevailing price—that is, same container, same trade level at the shipping point, plus all transportation charges.

12. Provincial commodity boards should be allowed a discretion of two cents per dozen above intervention price. If a province exceeds that discretion, the executive committee should sell eggs into that province and should not remove any surplus within-quota eggs from that province.

13. The executive committee should vary the intervention price in line with market conditions.

Quota system:

14. The authority for enforcement of quota should be delegated to the central agency and be implemented by the executive committee.

15. The executive committee should carry out the monitoring of quotas.

16. Producer quotas should be based on layer numbers, and provincial legislation should be amended—where required—to provide for production control.

17. The members of CEMA should establish the total national annual quota and the executive committee should establish the weekly provincial quota.

18. The executive committee should give early consideration to a review of the level of quota exemptions.

That, Mr. Speaker, is the summary of the report, which is much longer than that, of course, submitted to the ministers for consideration, and which was, in turn, forwarded on through the minister to the committee of members of Parliament investigating and doing inquiry work into the structuring and administration of the Canadian Egg Marketing Agency.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

CEMA PROGRAMME

Mr. R. F. Nixon (Leader of the Opposition): I'd like to ask the Minister of Agriculture and Food if he is aware of the announcement made yesterday, I believe, that British Columbia was withdrawing from participation in CEMA? In his opinion will this mean that the usefulness of the national marketing agency will be at an end, and what would Ontario's position be in that connection?

Hon. Mr. Stewart: Mr. Speaker, I am aware of it, yes. I heard that on the news last night. I can't see that it will jeopardize the Canadian Egg Marketing Agency. I think there has been some concern for some time by the British Columbia producers as to whether or not they wanted to participate in the plan and whether they felt it was really doing them any good.

Mr. R. F. Nixon: Supplementary: Did the minister, in taking part in the meeting, respond to the statement made by the representatives of Prince Edward Island some weeks ago that it was production in Ontario that had, in fact, dislocated the orderly marketing programmes that CEMA had endeavoured to utilize?

Hon. Mr. Stewart: I don't intend to be drawn into that controversy, Mr. Speaker. I don't share that opinion.

Mr. R. F. Nixon: Did the minister let them know at the meeting that he didn't?

Hon. Mr. Stewart: Yes, we certainly did. I think everyone is entitled to his opinion whether it's factual or not. Of course, that's typical of my friends across the aisle. Sometimes they don't share the proper opinion either on many items that are really factual as far as we are concerned.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: If you'll permit me a further supplementary, Mr. Speaker, the opinions of the minister are factual and the opinions of the Minister of Agriculture and Forestry of Prince Edward Island are not factual. Is that what this minister is saying?

Hon. Mr. Stewart: I didn't say that.

Mr. R. F. Nixon: That's what it sounded like.

Interjections by hon. members.

Mr. R. F. Nixon: Perhaps the minister would clarify what facts he would say are incorrect.

Mr. Singer: What is a factual opinion?

Hon. Mr. Stewart: Quite seriously, I hope my friend didn't take any offence at the comments I may have made. As far as I am concerned, I am not aware that the Minister of Agriculture and Forestry in Prince Edward Island did say that. I know he has not indicated that to me in any conversations I have had with him. It may have come out from some of his officials. The facts of the matter simply do not substantiate that particular situation.

Mr. Speaker: Any further questions?

REVOLUTIONARY PAMPHLETS

Mr. R. F. Nixon: I'd like to put a question to the Solicitor General, Mr. Speaker. Is he concerned that pamphlets entitled "The Militants Formulary" and "A Guide to Viet Cong Boobytraps" are readily available apparently in this province and are leading at least one young person in the Orillia area to experiment with explosives that were very seriously injurious to that individual? Is there any control over the importation of this sort of printed matter into this province?

Hon. G. A. Kerr (Solicitor General): Certainly, Mr. Speaker, as far as the province is concerned, I don't believe there is any control over the importation of material of this kind. For example, it may come under the Criminal Code which we administer. I am not aware of the particular pamphlet to which the hon. member refers and I'd like to get some more information before answering fully.

Mr. R. F. Nixon: Supplementary: Is the minister aware of the unfortunate accident in the Orillia area and the fact that the local police, I believe, on investigating found copies of these pamphlets entitled "The Militants Formulary" and "A Guide to Viet Cong Boobytraps" with simple formulations how to make bombs to blow up automobiles and how to make grenades, fire bombs, and so on?

Hon. Mr. Kerr: Mr. Speaker, if that is the case it may very well be an offence under the Criminal Code. I'd like to look into it further and reply to the hon. member at some later date.

Mr. S. Lewis (Scarborough West): Supplementary, if I could, Mr. Speaker: Has the minister asked the police investigators of the incident to give him the details from where these berserk pamphlets derived, and could he let the House know which group or individuals are responsible for the publication of these obscenities?

Hon. Mr. Kerr: Yes, Mr. Speaker, I would assume from what the hon. Leader of the Opposition said they are imported.

Mr. Lewis: Well, I'd like to know.

Hon. Mr. Kerr: Yes, I will get the full information on it and make a statement in the House.

Mr. Speaker: Any further questions from the Leader of the Opposition?

LAND TRANSFER TAX EXEMPTIONS

Mr. R. F. Nixon: I wonder if the Minister of Revenue is prepared to make a statement on the decision made in his ministry to exempt some further American firms in Ontario from the land transfer tax as was announced in the press recently. Would he not think that such an announcement would be of interest to the members of the House, together with a justification for the exemption?

Hon. A. K. Meen (Minister of Revenue): Yes, Mr. Speaker, I do intend to do this, to issue a press release from time to time as these exemptions are granted, explaining the reasoning behind the exemptions.

I think it should be mentioned in respect of H. D. Lee that that company was in business here on April 9. At the time when we granted the exemptions initially—that is before the order went through and it was eventually gazetted, but at the time when the submission was received from H. D. Lee and approval was granted for the purpose of relinquishing the high rate of tax on the acquisition—there was a general feeling among many of my colleagues and me that reasons other than the April 9 principle were appropriate there, such as the generation of business in an area that could well do with another manufacturing concern. In other words, that was a geographic area that merited it, and indeed, in addition to generating new jobs, it would generate new jobs in an area that could do with them.

The principle under which it would fall, if that application came to us today, would simply be that back in that instance, that was a company that was in business here in Canada on April 9 last.

To come back to the member's question, Mr. Speaker, I would say yes, it is my intention to elaborate to give whatever particulars are appropriate at the time when these exemptions are granted. There will be less and less of them as time goes on, of course, for the very reason that when the Act is passed, they will then be able, to swear that they fall within the section and subsection and thereby avoid the higher rate of tax if the facts apply to their particular case.

Mr. R. F. Nixon: Supplementary: Is it properly and factually reported that the exemptions far surpass the revenues that we have enjoyed under the application of the new law?

Hon. Mr. Meen: Yes, I think that's correct, Mr. Speaker, and it's to be anticipated that that would be so. I think the exemptions to date aggregate about $2.6 million and the revenue from the same end of the tax, the non-resident tax, is roughly $1.3 million met at this time.

Mr. Speaker: Any further questions?

Mr. Lewis: Supplementary if I may, Mr. Speaker: Doesn't the minister think it adds insult to injury to the Canadian businesses that are going out of production, not to say the squandering of public money, to grant an exemption of $27,000 to H. D. Lee over and above the $1.1 million which various levels of government have contributed to it? Would the minister consider revoking that decision?

Hon. Mr. Meen: Mr. Speaker, I think one has to recognize that in the administration of any statute, particularly a taxing statute, you have to do so with as even a hand as possible. I think it would be unfair to treat one company in a different fashion from another company when they both fall, or all of them fall, within a particular set of guidelines. So I would have to say no, I don't think we would consider reversing that decision.

If the company merits other support from other quarters, or treatment in some fashion other than via this tax, that's another matter. But so far as the criteria are concerned, that my colleagues and I have established for exemptions from the high rate of tax, they are, I think, reasonably clear, relatively clear today—

Mr. Lewis: Yes, I agree with that. You ask for it, you get it. How much clearer can it be?

Hon. Mr. Meen: —and the company clearly falls within them.

Mr. Singer: By way of supplementary, Mr. Speaker—

Mr. Speaker: Final supplementary.

Mr. Singer: —could the minister say, in regard to the companies that he recently exempted, whether the reasons for their exemption are those embodied in the amendments presently before the standing committee, or whether there are other reasons over and beyond what he is now proposing as an amendment to this statute?

Hon. Mr. Meen: By and large, the amendments that are before the standing committee now, Mr. Speaker, would characterize the basic reason behind the exemptions that have been granted to these companies over the years—over the last few months, I should say. There may be one or two other reasons that are not embodied in the amendments. I think, for example, of the exemption granted to CIBA-Geigy, an agricultural firm which is bringing in new technology, or represents that this purchase is for the purpose of developing some new technology presently unknown in the agricultural field. I am not certain at this point whether that particular point is covered in the amendments before the House.

Mr. Speaker: Any further questions from the Leader of the Opposition?

Mr. Lewis: Any further supplementaries, Mr. Speaker?

Mr. Speaker: No, the member may ask a new question in a moment.

GEORGIAN COLLEGE

Mr. R. F. Nixon: I would like to direct a question to the Minister of Colleges and Universities. Has he, or anyone in his ministry or another ministry, undertaken an investigation into the circumstances at Georgian College which resulted in the resignation of Mr. John Bootle, a former dean of the allied health division at Georgian College?

Hon. J. A. C. Auld (Minister of Colleges and Universities): I am not aware of any investigation, Mr. Speaker. In fact, I wasn't aware of the incident. I will inquire into it. It would sound to me as though it's an internal matter for the college, but I will be delighted to see what information I can get for the hon. Leader of the Opposition.

Mr. R. F. Nixon: Supplementary: While he is inquiring, would he as well look into the circumstances surrounding the awarding of a contract to Kemp Bay Developments Ltd. for the construction of a major building at Georgian College's Barrie campus at a time when the president of Kemp Bay Developments, Mr. Horace Pratt, was also a member of the board of governors of Georgian College?

Hon. Mr. Auld: I will, Mr. Speaker.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: No, Mr. Speaker.

Mr. Speaker: The hon. member for Scarborough West.

STUDY OF VINYL CHLORIDE

Mr. Lewis: I would like to ask the Minister of Health, Mr. Speaker: Further, as it were, to the announcement of the Minister of the Environment (Mr. W. Newman) about polyvinyl chloride or vinyl chloride emission levels, how is it that the men and women in the workplace who are subject to direct contamination from vinyl chloride have a level of allowable emission 100 times greater than the level of emission which is allowed in the community by the Ministry of the Environment, even given that one is over an eight-hour period and one is over a 24-hour period?

Hon. F. S. Miller (Minister of Health): Well, Mr. Speaker, I was confused by the same set of data as the member was the other day when I saw the 0.1 parts, I think it was, per million versus 10 parts per million. The information I got back then, and I haven't had it verified since, was that we were talking about two different compounds, although the statement may not have necessarily spelled that out. Perhaps I would need to refer to my colleague, the Minister of the Environment. I think we were talking about vinyl chloride monomer in one case and vinyl chloride in the second, and they were not talking of the monomer form, which is considered to be the dangerous one.

Mr. Lewis: By way of supplementary, could the minister take a little time to verify exactly what we are talking about? It may be that there is no misnomer and that the matters are comparable; if so, it would be interesting to hear how one justifies a level of 100.

LEAD CONTAMINATION IN PLANTS

Mr. Lewis: While the minister is at it, by way of a new question, could he find out why lead contamination within the plants is at an allowable level 15 times greater than is allowed by way of emission into the community? Could he perhaps explain that discrepancy as well?

Hon. Mr. Miller: Well, Mr. Speaker, I think it's safe to say, again in general, that conditions within plants are often at higher levels than are permitted within the environment for the simple reason that people within a plant are schooled and in many cases protected against contact within the plant, whereas the public is not. Pretty rigid conditions are usually attached—or hopefully are attached—to the workers in the environment, both in terms of cleanliness and steps taken to have monitoring done on a regular basis and so on. As the members know, a worker in a lead plant who reaches, I think, 80 micrograms per 100 millilitres of lead in his blood is immediately removed from the working conditions until it drops to 60.

Mr. Speaker: Any further questions?

Mr. Lewis: Well, maybe the minister could report further on it, since there does seem, on the surface, a certain lack of

logic in allowing workers a concentrated exposure so much higher than that of the community, even though they are allegedly healthy and protected.

Hon. Mr. Miller: The best answer I can give to that at this point in time is that if the member read, as I'm sure he did, the report put out by Dr. Robertson a couple of weeks ago, to this point in time they are not willing to justify either the 80 figure or the 60 figure, for example.

Mr. Lewis: That's right. So why have different levels?

Hon. Mr. Miller: Simply because, as I say, the people in the plants have been monitored much more carefully and watched to see that they're not being affected in a health sense.

CITIZENS' COALITION ADVERTISING

Mr. Lewis: A question if I may, Mr. Speaker, of the Chairman of the Management Board (Mr. Winkler): Might the Chairman of the Management Board—well, I'm really not sure whether it should go to the provincial Treasurer. Maybe it could go to the provincial Treasurer, who speaks to John Robarts on a daily basis, and I know the Chairman of the Management Board rarely has time for him.

May I ask the provincial Treasurer if he might talk to John Robarts, who has now been made the commissioner to look into the largest regional government apparatus in Metropolitan Toronto, and draw to his attention both the indiscretion and the potential conflict of interest in participating in advertisements which are directly against the declared demands of civil servants in Ontario, while pretending to pronounce on the rights, including the rights to pay and fringe benefits, of civil servants in the largest regional government in this province? It is an indiscretion he should not permit himself.

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, John Robarts is a great friend of mine and I see him as often as I can. In fact, I haven't seen him for a month or thereabouts.

I did hear this morning that he was a participant in the advertisement. When I heard that from one of my colleagues I said, "I can't believe it, because that is not John Robarts' style." I am not going to accept that report, although I certainly am interested personally and publicly—

Mr. Lewis: He said he had participated.

Hon. Mr. White: —in knowing what role, if any, he had. Insofar as this citizen's rights are concerned, I suppose, like other taxpayers, he has the right to express a point of view—

Mr. Lewis: Oh yes, sure. That's why I called it an indiscretion.

Hon. Mr. White: —and certainly one couldn't argue that that is in any way contrary to his obligations as commissioner.

Mr. R. F. Nixon: A supplementary, Mr. Speaker: Is not the Treasurer aware that when Colin Brown sent out his letters requesting support, the request was supported by a letter signed by John Robarts for this purpose?

Mr. J. R. Breithaupt (Kitchener): Didn't the Treasurer get one?

Hon. Mr. White: Well, I didn't know that; or if I knew it, I had forgotten it. Now I surmised that Colin Brown was the mastermind behind the advert but, once again, this morning I was told he wasn't, so—

Mr. R. F. Nixon: It sort of had his style. One just had to look at the ad—

Mr. Breithaupt: Especially the "Hmmmm" part.

Hon. Mr. White: —I am sorry, I don't know how the advert originated or who sponsored it, but certainly I would like to find out.

Mr. R. F. Nixon: I think the Treasurer probably sent them $100. Did he?

Mr. Lewis: By way of supplementary, since despite the Treasurer's protestation, it really does compromise John Robarts in his dealings with public servants in the largest regional government in the province, may I ask the minister to look into the origin of the episode which he himself admits was quite out of character and out of style?

Hon. Mr. White: Well, as I said, I want to inquire into the matter for personal and public reasons and because I like to know about everything that is going on.

Mr. Breithaupt: To see if he can get his five bucks back.

Hon. Mr. White: However, I would point out to the House that Mr. Robarts is not reporting upon salaries, compensation or non-monetary benefits.

Mr. Lewis: Oh, he may well. The terms of reference give him that right.

Hon. Mr. White: What he is doing is looking at the structure of a governmental organization.

Mr. Stokes: It will certainly limit his scope.

Hon. Mr. White: To suggest for one minute that there is some kind of conflict between his interest as a taxpayer in the level of Ontario salaries—

Mr. Lewis: Come on. It is like the chairman of Algonquin Park advisory board.

Hon. Mr. White: —and his responsibilities as commissioner looking into the structure really is stretching credulity too far.

Mr. D. C. MacDonald (York South): The Treasurer was ahead before he made that statement, but now he is getting behind.

Mr. Deans: Is the Treasurer a member of the Citizens' Coalition, by any chance?

Hon. Mr. White: No, I am not.

Mr. Deans: How about the Treasurer's colleague to his right?

Mr. E. W. Martel (Sudbury East): He is the president.

Mr. Speaker: Any further questions?

MINERAL PRODUCTION STATISTICS

Mr. Lewis: I have a question of the Minister of Natural Resources, Mr. Speaker. Can the Minister of Natural Resources tell us when we can ever lay our hands on the up-to-date annual statistical report on mineral production in Ontario, as he promised in the House but which we are unable to get from his ministry beyond the year 1970, because apparently the minister is preparing for a mines ministers' conference and the information which the minister said was available is not available?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, it is quite correct that we are having a mines ministers' conference this week in Ottawa. I will certainly check on that delay and find out why it has not been given to the hon. member.

Mr. Lewis: By way of supplementary, can the minister delay further debate on the mining tax bill until we have the mining tax statistics, which the minister says are regularly available but which, no matter how often we ask, we can never get from his ministry?

Hon. Mr. Bernier: Mr. Speaker, I certainly can't do that because I don't regulate the order of business of the House—

Mr. T. P. Reid (Rainy River): Nobody does.

Mr. J. F. Foulds (Port Arthur): Nobody does.

Mr. Lewis: Who does?

Mr. Breithaupt: "I will do what I can."

Hon. Mr. Bernier: —and that particular bill is not in my ministry.

Mr. Speaker: Any further questions? The member for Windsor-Walkerville.

ESSEX COUNTY DISTRICT HEALTH COUNCIL

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Health. Is the minister aware of a recent research committee report submitted to the Essex County Hospital Planning Council that recommended a district health council? Has the minister received a request for the establishment of such a district health council, and will he give it favourable consideration?

Hon. Mr. Miller: Mr. Speaker, in view of the fact that district health planning councils are an integral part of the ministry's plan, yes, we would be pleased to work with them. Insofar as being particularly aware of the study, no, I am not, but I will be pleased to look into it.

Mr. Speaker: The member for High Park.

SEAFARERS' INTERNATIONAL UNION

Mr. M. Shulman (High Park): I have a question of the Solicitor General, Mr. Speaker. In view of evidence now available linking Warren Allmand to the SIU, specifically that he has received both money and other election help from them and, in addition, that Allmand's official agent and head of his Liberal association, one Joseph Nuss, is also the SIU lawyer and has been in receipt of a retainer from them for several years, will he recommend that this government now hold a royal commission into violence in the SIU, since it is obvious that we cannot expect one from Ottawa?

Hon. Mr. Kerr: Mr. Speaker, I would assume that the hon. member is getting his in-

formation mainly from this afternoon's newspaper and—

Mr. Breithaupt: The member for High Park put them in there.

Hon. Mr. Kerr: —certain articles regarding campaign contributions by the SIU to politicians in the Montreal area and, I believe, the paper mentioned the east and west coasts. On that basis there is more reason, really, for a federal inquiry than a provincial inquiry.

Mr. Shulman: A supplementary, if I may: I haven't seen the article the minister is referring to. What I am referring to specifically is a specific link between Mr. Allmand, the Solicitor General, who is supposed to be looking into this matter, and the SIU. Obviously, we are not going to get a royal commission from Allmand and we're not going to get one from Munro.

Mr. Speaker: Does the member have a question?

Mr. Shulman: Will the minister order one?

Mr. Speaker: Does the member for High Park have a question?

Mr. Shulman: Yes, will the minister order one?

Hon. Mr. Kerr: Mr. Speaker, I would think if there was a federal inquiry, in all likelihood it would be launched by the Minister of Justice, Mr. Lang. I would just have to repeat what I have said in this House, and what my colleague, the Attorney General (Mr. Welch) has said—

Mr. M. Cassidy (Ottawa Centre): They are pretty important out there.

Hon. Mr. Kerr: —that this is a federal organization. It is an international union. It involves seamen from all parts of this country, as well as from the United States. The allegations that the member says of bribery and wrong-doing, and things like this, have taken place in ports outside of this province. It really makes sense that it should be a federal inquiry.

Mr. Shulman: But the minister can't be certain. Mr. Speaker, I will be sending you written notice that I am not satisfied with that answer, and will request time to have the minister respond to it.

Mr. Speaker: Are there any further questions? The member for Ottawa East.

OHIP PAYMENTS TO DOCTORS

Mr. A. J. Roy (Ottawa East): Yes, Mr. Speaker, I have a question of the Minister of Health. I wonder if the minister might advise why chiropractors in this province are able to charge over and above the fee that is paid by OHIP per visit, and why he doesn't regulate them as he regulates the medical profession to charge only that amount that is given by OHIP?

Hon. Mr. Miller: Mr. Speaker, as I understand it, they don't come under the Medical Care Act and hence at the present time they're not cost shared in any way at all by the federal government.

I think the member had better check into that. Does he realize that when we pay medical practioners, the federal government pays part of the cost and, therefore, they fall under the federal Act in terms of the way we treat them? There are other groups of practioners who do not currently fall under that grouping, and we receive no moneys from the federal government for them.

We think we should. We think they're legitimate expenses and the Province of Ontario has seen fit to pay 100 per cent of the amount of money that's contributed to a chiropractic treatment. That is what the member is talking about, isn't it?

Mr. Speaker: A supplementary.

Mr. Roy: I am wondering, Mr. Speaker, as a supplementary to the minister's answer: In spite of what he said, does he feel that he cannot get together with them or control them as to how much they are going to charge? Secondly, does he feel that it's fair that a medical practitioner, in fact, should be getting less per visit, in charging some $2 or $3 over and above the $5 per visit being paid by OHIP?

Hon. Mr. Miller: As I say, the Act didn't govern our arrangements with them, and they were made at a time when we wished to have a certain amount of coverage for certain services rendered and paid for by OHIP.

Recently, the optometrists were included on the same basis as physicians. I changed that regulation recently, because we deemed that the service rendered by an optometrist was very closely equal to that rendered by an ophthalmologist for refraction. So I think they get $16.70, less 10 per cent, as an ophthalmologist would.

As time goes on we're looking at each of these. But the member realizes there is one

other limitation. The province pays only up to $100 per year if the patient is going to a chiropractor. It pays only one visit per year to an optometrist. There were certain other restrictions, I believe, in osteopaths and chiropodists.

Mr. Roy: Yes, may I ask one final supplementary on this?

Mr. Speaker: This will be the final supplementary.

Mr. Roy: Will the minister undertake to correct what I consider to be an imbalance, in that a doctor, with all his experience and his expertise, is in fact making less per visit because of the 10 per cent discharge, than in fact chiropractors. Does he think that is fair?

Hon. Mr. Miller: I am not able to judge the fairness of it. I am certainly setting up practitioner review committees — members may recall we discussed that during the estimates—and these practitioner review committees are to do the same things as the medical review committee did — decide whether the charges are fair for the services rendered.

I think that's the first step in that process, but I would think we would only have the right to regulate their charges if we paid all that were rendered. At this point in time, we do not; and that's why, to this point, we refuse to do so.

Mr. Speaker: The member for Sandwich-Riverside.

IMPAIRED DRIVER CONTROL

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question of the Solicitor General regarding the continuing massacre of motorists by impaired drivers in Ontario: Has the Solicitor General made any progress in deciding how to keep impaired drivers off our highways, roads and streets?

Hon. Mr. Kerr: Well Mr. Speaker, I would think the quickest answer to the hon. member's question would be that we enforce the law that people who are drinking and driving be charged with the appropriate offence under the Criminal Code, and that the full penalty under that code be imposed on those people who are convicted of drinking and driving.

Mr. Burr: Supplementary:

In addition to increased enforcement, is the minister not considering increased educational measures?

Hon. Mr. Kerr: Yes, Mr. Speaker, as the hon. member may know there was a conference in Toronto in September dealing with this particular subject. Representatives from all provinces were here and some international representatives. The Attorney General has a programme, now, of educating people to the dangers of drinking and driving. There is, I believe, a film that has been produced on this subject which will be shown at this time of year, which is most appropriate. We are doing everything to emphasize to people, by way of statistics and other means, the dangers involved in drinking and at the same time operating a motor vehicle.

One of the things that concerns me is that the provisions regarding suspended licences under the code are not being imposed as much as they should be.

Mr. Speaker: The member for Downsview.

OHC BRIBE CHARGES

Mr. Singer: Mr. Speaker, a question of the Solicitor General: Could the Solicitor General bring us up-to-date on further police investigations in relation to the gifts given to 20-odd OHC employees, which resulted in charges; and tell us whether or not it can be anticipated that charges are going to be laid against those people or the organizations which gave the gifts?

Hon. Mr. Kerr: Mr. Speaker, the hon. member, I am sure, knows this particular investigation is in the hands of the Attorney General. He has indicated in answers in this House that those particular charges will be considered along with the charges that have already been laid against the people involved in the allegations of bribery involving OHC.

Mr. Singer: Well. I wonder if the Solicitor General—

Mr. Speaker: Supplementary?

Mr. Singer: Yes, supplementary: Could the Solicitor General explain that a little further? Are there any charges now pending against the givers of the gifts? If so, why has that not received any public attention?

Hon. Mr. Kerr: No, I haven't said that, Mr. Speaker. I said this was being contemplated and looked into by the Attorney General. He has indicated in his answers in this House that the case isn't closed as far as the givers are concerned.

Mr. R. F. Nixon: Well, when is the Solicitor General going to close it; or open it?

Mr. Roy: Mr. Speaker, could I ask a supplementary on this?

Mr. Speaker: This is the final supplementary.

Mr. Roy: To the Solicitor General: Does he not feel that in the administration of justice, people are looking on this with cynicism? An investigation has been going on for possibly eight months now, and still no charges have been laid against the people who in fact gave the gifts—only against the ones who have received them. This seems to be a pattern that is going on in events of this nature in this province.

Mr. Breithaupt: It is more blessed to give than to receive.

Hon. Mr. Kerr: I don't want to comment on that other than to say, Mr. Speaker, that the people who are involved, shall we say as givers, are certainly involved in this investigation. They are involved in the charges that have been laid up to now as far as evidence is concerned.

Mr. Singer: There are no charges against them.

Hon. Mr. Kerr: As I say, this case is not closed. Charges have been laid. Once those are processed, I am sure further information will be given to this House as to any other possible charges.

Mr. Speaker: The hon. member for Thunder Bay.

EXTENSION COURSES IN NORTHERN COMMUNITIES

Mr. Stokes: Thank you, Mr. Speaker. I have a question of the Minister of Colleges and Universities. Is the minister aware of the tremendous pressure exerted upon Confederation College in Thunder Bay and the tremendous need for extension courses under its supervision in many, many communities in the far north, particularly the Indian communities? Will the minister prevail upon the federal authorities, through a transfer of funds to Confederation College, either through the Department of Indian and Northern Affairs or through Canada Manpower so that it can attempt to meet that tremendous need for special classes and upgrading in northern communities?

Hon. Mr. Auld: Mr. Speaker, I am aware of it and, in fact, we have been pursuing this matter with some people from the college, both in the Manpower end and possibly through Indian Affairs for a slightly different kind of programme.

Mr. Stokes: Supplementary: Can the minister indicate whether any funds will be made available, either through his ministry or through a transfer from the federal government, for these extension courses during the coming winter?

Hon. Mr. Auld: I'm afraid I can't make any commitment at the moment, Mr. Speaker, but as soon as we have something I'll be delighted to let the House know.

Mr. Speaker: Any further questions from the Liberal Party? The hon. member for Rainy River.

FARM WORKERS

Mr. Reid: Thank you, Mr. Speaker. I have a question of the Minister of Labour. Has the minister arrived at a decision as to bringing the farm workers in the province under the Employment Standards Act?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, the matter is still under consideration. I hope we will reach a decision on it shortly as to whether we will and, if the answer is yes to that, as to just what sections of it will be brought into effect. The Minister of Agriculture and Food and myself and our respective ministries have been examining it and hope to come to a conclusion shortly.

Mr. Reid: Supplementary, if I may.

Mr. Speaker: One supplementary.

Mr. Reid: Will a decision be made by next spring or summer, so that if the minister does decide, the people will be aware of it and this will be in place for next year?

Hon. Mr. MacBeth: I would hope the decision would be made before the end of the year, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

ACUPUNCTURE

Mr. Deans: Mr. Speaker, I have a question of the Minister of Health. Has the Minister of Health had an opportunity to find out from the College of Physicians and Surgeons what their position is going to be with re-

gard to cleaning up the acupuncture clinics to ensure hygienic conditions?

Hon. Mr. Miller: Yes, Mr. Speaker, I got a letter from them, that I think last Thursday or Friday morning I implied was in the mail to me, stating the conditions under which they would be examining the acupuncturists who are now practising in the Province of Ontario for licensing, registration, accreditation or whatever it may be called. I am also meeting with the acupuncture association representatives this afternoon at about 4 o'clock to discuss their point of view, to see if these are fair requirements, and I intend to carry on my discussions with the college.

Mr. Deans: May I ask a supplementary question?

Mr. Speaker: One supplementary.

Mr. Deans: Thank you. Is the minister aware that the Hamilton Academy of Medicine had contacted the College of Physicians and Surgeons on two occasions at least over the course of the last short period of time, asking that they initiate some action and that there had not even been a reply, let alone any action forthcoming?

Hon. Mr. Miller: No, Mr. Speaker, I am not. I really think the questions that arose in the House and the articles in the Globe and Mail have done us a favour in the sense that they have perhaps brought to the attention of the college the fact that it is a serious problem, one on which the member and I probably agree completely.

Mr. Deans: Would you permit me one final supplementary question, Mr. Speaker?

Mr. Speaker: One final supplementary.

Mr. Deans: All right, thank you.

Mr. Stokes: The final final.

Mr. Deans: Would the minister agree—if this is a self-governing body and if it takes public disclosure or public pronouncements in the newspapers to be dealt with in the Legislature for them to become aware of and to act upon some problem areas within their own discipline—there is something wrong with the way in which they govern themselves?

Hon. Mr. Miller: Mr. Speaker, it is not my role to defend the College of Physicians and Surgeons, but I can say it wasn't as clear-cut as may appear. In fact I have met with them every single month since I became a minister and have discussed this issue every single month. Quite honestly I have been very concerned about the potential problems, and quite honestly I had to convince them of the potential problems. I believe I have done so and I believe the newspapers have in fact accentuated that concern. So I don't really see any likelihood that they will do anything but hasten their work.

Mr. R. F. Nixon: Mr. Speaker, would you permit one further question?

Mr. Speaker: Yes, in view of the circumstances we'll allow one final supplementary.

Mr. R. F. Nixon: Thank you, Mr. Speaker. Wouldn't the minister think that his duty is not to defend them but in fact to attack them, since it indicates that they have been lax in their responsibility, particularly when there is an indication, the way the legislation now exists, that people who want to become acupuncturists can learn to do so by applying for a correspondence course which would permit them to practise?

Mr. Breithaupt: Send them down to the local Singer centre.

Hon. Mr. Miller: The legislation doesn't permit that. The lack of enforcement has permitted people to do that.

Mr. Deans: That is by the self-governing body.

Hon. Mr. Miller: I would say that I am just as concerned about people not schooled in it, who may feel they are otherwise qualified to do it.

Mr. Roy: The minister is not showing it.

Hon. Mr. Miller: Far from defending them, I said it is not my role to defend them. I was explaining.

Mr. R. F. Nixon: No, I think it is the minister's role to attack them if they are not doing their job properly.

Hon. Mr. Miller: What I do privately—and I have been doing it privately—is somewhat akin to that.

Mr. Roy: We're not talking about—

Mr. Speaker: The member for Welland South.

Mr. Deans: I don't want to needle the minister unnecessarily, but he should move in more quickly.

Interjections by hon. members.

Mr. Speaker: Order please. The member for Welland South wants to ask a question.

PAYMENTS TO PHARMACISTS

Mr. R. Haggerty (Welland South): I would like to ask a question of the Minister of Health. What steps is his ministry now prepared to initiate or to expedite a backlog of interim payments to pharmacists under the drug benefit plan?

Hon. Mr. Miller: Mr. Speaker, that question presupposes that there is a backlog. I would like to verify that fact. I have not had a single call from a pharmacist or from the association to indicate that there is.

Mr. Reid: He can have mine.

Hon. Mr. Miller: We pay on the basis of $3.25 per line on the sheets put in; they are to be paid monthly at least, and if, in fact, there is a problem that's specific, please let me know and I'll look into it.

Mr. Speaker: The member for Port Arthur.

STARRATT-OLSEN POWER SUPPLY

Mr. Foulds: Thank you, Mr. Speaker. A question of the Minister of Natural Resources: Do I understand correctly a letter from Mr. George Gathercole of July 3, 1974, that the Ministry of Natural Resources has accepted the responsibility for working out proposals for the servicing and providing of electrical power to Starratt-Olsen, and the transfer of that responsibility from the Madsen mining company to Ontario Hydro? And can the minister report what state that is at at the present time, in view of the fact that the residents of Starratt-Olsen have been informed that the electricity to their water pump will be cut off Thursday, and if it is cut off the water supply to those 25 homes will be frozen and the houses will be uninhabitable for the winter?

Hon. Mr. Bernier: Mr. Speaker, I have been involved in this particular issue for about a year now because of my concern for the people of Starratt-Olsen and the area I represent, and I have only been going on that basis. I would say to the House that the hydro power supplied to the Starratt-Olsen community—and it's just a small group of homes about a mile and a half or a mile from Madsen—is supplied through the mine. It is not supplied by Hydro. The conditions of the line itself are deplorable. It needs something like $30,000 to bring it up to standard.

I endeavoured to bring the Madsen Red Lake people and Hydro together; they agreed at that time that if an arbitrator was established they would accept the arbitrator's decision as to the price of the line and Hydro would pick it up. We appointed an arbitrator, and then when the decision was handed down the management of Madsen Red Lake indicated they wanted no part of the arbitrator's decision at all. So it is hung up there, and I have to say to you, Mr. Speaker, that Madsen Red Lakes Gold Mines has changed ownership in the last few months, and it's—

Mr. Stokes: Good corporate citizens.

Hon. Mr. Bernier: Yes, I was as annoyed as the member is about the whole situation; I am still annoyed. I intend to follow up a further appeal with the new owners, but that's where the situation stands at the present time.

Mr. Lewis: The minister has until Thursday.

Mr. Foulds: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Foulds: Yes. Do I understand correctly that it is not only the minister's responsibility because he is the member for the area, but do I understand Mr. Gathercole's letter correctly when he says the Ministry of Natural Resources was then provided with alternative proposals under which Ontario Hydro would take over supply to the customers in Starratt-Olsen? Does that imply it is a ministerial responsibility?

Hon. Mr. Bernier: I have contacted Hydro and I have contacted the Ministry of Community and Social Services to have the same formula applied that was applied at Aroland, I believe. There was a proposal and a formula was applied there. That is the proposal to which he refers.

Mr. Speaker: The member for Waterloo North.

Mr. Foulds: One more supplementary: As a matter of urgent public importance, can the minister take immediate steps—

Mr. Speaker: Order, please.

Mr. Foulds: —in order to see that electricity is not cut off until then?

Mr. Speaker: Order, please. The member for Waterloo North has the floor.

CAR RENTAL AGENCIES

Mr. E. R. Good (Waterloo North): I have a question of the Minister of Consumer and Commercial Relations. In view of the fact that municipalities are allowed to pass by-laws regulating and licensing car rental agencies, does the minister think they should be allowed to include in such by-law a minimum fee which is allowed to be charged, which in the case of Waterloo region's by-law is $10 per day, thus preventing such firms as Rent-A-Bug which only charges $5 a day from starting in business in our region?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): It is the first time I was aware that a municipality legislated the fee that a private entrepreneur could charge. I certainly am not any expert in municipal affairs. I know nothing about them but it would seem to me—

Mr. Good: Does the minister know anything about consumer protection?

Hon. Mr. Clement: Yes, I do, that's why the member asked me the question, and he is looking for the answer. I would just pass on this observation that if any firm has a doubt, I think it should consult its solicitor to find out if, in fact, the bylaw is ultra vires of the municipality which the member has mentioned.

Mr. Speaker: The member for Sudbury East.

FAMILY PLANNING STUDY

Mr. Martel: I have a question of the Minister of Community and Social Services. Can the minister indicate when the task force report on family planning and birth control will be tabled, in view of the fact the study was completed in April?

Hon. R. Brunelle (Minister of Community and Social Services): I am not sure, Mr. Speaker, whether it will be tabled or not but the whole area is under very active review.

Mr. Speaker: Supplementary.

Mr. Martel: Could the minister indicate if he is willing to table that report?

Hon. Mr. Brunelle: It's a report, Mr. Speaker, that involves several ministries.

Mr. MacDonald: So what?

Mr. Deans: What has that got to do with it?

Mrs. M. Campbell (St. George): That's the way they hide reports.

Mr. Lewis: They did that with the day-care report. The two of them sit over there and suppress the evidence. What is it with their ministries?

Mr. Speaker: The member for Ottawa East.

DRAFT BEER GLASSES

Mr. Roy: I have a question of the Minister of Consumer and Commercial Relations. Why did he remove the control and the supervision his ministry had over the size of beer glasses for draft beer? Why did he discontinue that practice?

Hon. Mr. Clement: Mr. Speaker, the so-called beer glasses with the tide lines on them were removed, I think, 10 or 12 years ago.

Mr. Roy: It is not the ministry's policy?

Hon. Mr. Clement: No, it is not my policy. As I understand it, the operator is at liberty to use what size of glass he desires. There is no restriction on price. It's one of the competitive things that now is met in the marketplace. It has been removed for a number of years—10 or 12 years as far as I understand it.

Mr. Roy: Supplementary?

Mr. Speaker: One supplementary.

Mr. Roy: As the minister is supposed to be protecting the consumer, why would he not require that at least there be a label on the glass, stating the number of ounces per glass, as he does for bottles? Why doesn't he do that so the consumer would know how much he is paying or how many ounces he is getting for his money?

Hon. Mr. Clement: I just wonder, Mr. Speaker, how far we should intrude into the business life of the average hotel or restaurant operator. I am sure that any patron on inquiring could find out the size of the glass. It doesn't seem to me that he would be precluded from having that information if he asked. If the hon. member has a specific complaint to draw to my attention, I will be glad to discuss it with him, but I have received no complaints. I read an article in one of the Toronto papers the

other day showing the different-size glasses and prices that were charged.

Mr. Speaker: The member for Ottawa Centre.

CARLETON UNIVERSITY

Mr. Cassidy: I have a question of the Minister of Colleges and Universities, Mr. Speaker. Was it the ministry's intention to force the closure of St. Patrick's College when the new spending ceilings were issued for the forthcoming academic year for Carleton University?

Hon. Mr. Auld: Of course not, Mr. Speaker.

Mr. Cassidy: Is the minister aware of the concern in the Ottawa area about the threatened closure of St. Patrick's College, which appears to be the only way in which Carleton University can hope to come anywhere within the spending limits that have been laid down by the ministry?

Hon. Mr. Auld: I am just reading, and I haven't finished reading it, a telegram from the survival committee at St. Patrick's College. My understanding is that the college was divided into two parts at the time that Carleton was established. The school of social welfare, I believe, went to the University of Ottawa, and the remainder of St. Patrick's is with Carleton. My understanding is that it's an internal matter for the university and the college—

Mr. Roy: The minister was supposed to report that last week.

Hon. Mr. Auld: —and that there is no agreement or undertaking, as far as the government is concerned, for things to happen either way.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Auld presented the financial reports of Queen's University, Kingston, and the University of Western Ontario, both for the year ended April 30, 1974.

Mr. Breithaupt: No deficits yet?

Mr. Speaker: Motions.

Introduction of bills.

MOTORIZED SNOW VEHICLES ACT

Hon. Mr. Grossman, in the absence of Hon. Mr. Rhodes, moves first reading of bill intituled, the Motorized Snow Vehicles Act, 1974.

Motion agreed to; first reading of the bill.

Hon. A. Grossman (Provincial Secretary for Resources Development): Mr. Speaker, the present Motorized Snow Vehicles Act has been completely rewritten to implement the recommendations of the select committe on motorized snow vehicles and all-terrain vehicles. I'm sure the hon. members will welcome that rewrite.

CORONERS ACT

Hon. Mr. Kerr moves first reading of bill intituled, An Act to amend the Coroners Act, 1972.

Motion agreed to; first reading of the bill.

Hon. Mr. Kerr: Mr. Speaker, this bill sets out a number of amendments which have been proposed as a result of the operation of the recent Coroners Act, 1972, and the experience that has been gained from that Act.

Mr. Speaker: Just before the orders of the day I should announce to the House that the hon. member for High Park has given me two notices, as required by standing order 27(g), that he is not satisfied with the answers by the Attorney General to his question yesterday concerning a public inquiry into the conduct of the SIU or with a further answer by the Solicitor General on the same matter today. Therefore, tonight at the adjournment hour of 10:30 the debates provided by standing order 28(a) may take place.

Orders of the day.

TAX SALES ACT

Hon. Mr. White moves second reading of Bill 112, An Act to confirm Tax Sales.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, it does seem curious that this sort of bill is being brought forward. One wonders what has developed, through the history of this kind of a situation, that has led us to—

Mr. Speaker: Order please. There is too much noise in the chamber. Will people try

to tone it down a bit? We can't hear the hon. member for Kitchener.

Mr. J. E. Stokes (Thunder Bay): It's the exodus.

Mr. Breithaupt: Thank you, Mr. Speaker; one needs all the help one can get on some occasions.

It does seem curious, as I had said, that this kind of a bill is being brought forward to confirm tax sales; one wonders what the problem is in tax sales over the years. Tax sales were much more common, of course, in the 1930s. Hopefully, they won't become as common again as they were at that point.

Apparently there has been some matter raised, no doubt either on title or through some legal opinion, that requires this confirmation. I presume that once we have the explanation from the minister we will be able to see the wisdom of the bill. I would appreciate hearing from the minister why he feels it necessary to bring in this kind of legislation.

Mr. Speaker: The member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, not much needs to be said about this piece of legislation. Periodically the Treasurer—and in the old days, the Minister of Municipal Affairs—would bring down legislation of this kind. The procedures to which municipalities must go in order to validate and make final seizure of properties due to tax arrears are complicated. In the past there have been instances where they have slipped up in not following it with precision. Somewhere along the route these things have to be affirmed by the minister himself as the sale goes through. But even then, some technical failure occurs periodically. As I say, it is necessary simply to make a holus-bolus, blanket validation of all these tax sale proceedings in municipalities. It is a great aid, an enormous help to the legal profession in establishing titles to property in this regard.

The only question I think I would have to ask of the Treasurer (Mr. White) is whether this is done on any formal basis. In other words, has he set a period of time where he comes to it? It seems to me somewhat haphazard, the way this particular piece of legislation is brought to the House. It is not predictable. What does the Treasurer use as a rule of thumb as to when the time is right to bring in another confirmation of tax sales bill before the House?

Mr. Speaker: Are there any other hon. members who wish to speak to this bill? The hon. member for Thunder Bay.

Mr. Stokes: Just very briefly, I am wondering if the minister has had any representations or any dialogue with the Minister of Natural Resources (Mr. Bernier), who is responsible for Crown lands in the province?

A situation has come to my attention on two or three occasions where a municipality was involved in a tax sale. Particularly in northern Ontario, where we have got this strategic land-use planning, it is ever so important to those who are responsible for formulating land-use plans that they know of the availability of certain parcels of land.

On two or three occasions, people at the regional level within the Ministry of Natural Resources were very surprised to learn that a municipality had disposed of land in this fashion without the Ministry of Natural Resources and their personnel ever having known about it.

So I am wondering whether the Treasurer has had any discussions with them? I think it is important that when municipalities do engage in disposition of land in this fashion, that there be some obligation on the municipality to at least advise and apprise the Ministry of Natural Resources of their intentions, to give them an opportunity to bid and to acquire that land if it seems to conform with the strategic land-use plans they have for that area. I hope the minister will take that into consideration, if not in here at some future date, because it is important. The people in the Ministry of Natural Resources have pointed this out to me.

Mr. Speaker: The member for Ottawa Centre.

Mr. M. Cassidy (Ottawa Centre): Mr. Speaker, I have to express just a general concern about these tax sales, insofar as we find Ontario land being peddled from California to Florida to Maine to Australia. If one picks up a copy of any magazine, such as "Popular Mechanics," I guess, if it is still in being, and other magazines, they state: "Cheap land is still available in Ontario."

They talk about land in central Ontario, which is somewhere, I gather, between the riding of Thunder Bay and the riding of Algoma, being available at 10 cents or 20 cents an acre and other ridiculous prices like that. Tax sale land is being peddled abroad as though it was a fire sale.

It seems to me that in addition to policies that either discourage or prevent the sales of Ontario recreational land to foreigners, this whole business of tax sales ought to be regularized in some way so that people in the province who wish to know what kind of land is being made available can do so in a regular kind of way through the offices of the Ministry of Natural Resources down here, or in some other way, and not by writing off to some hole-in-the-corner entrepeneur who will give them a list of tax sale property for $2, $5, or $10.

Government information is being sold like that. I'm not sure how much of it is actually winding up in the hands of foreigners, but it's something that I think is degrading for this province, to see our soil sold in a kind of bargain basement fashion.

Mr. Speaker: Does any other hon. member wish to speak to this? If not, the hon. minister.

Hon. J. White (Treasurer and Minister of Economics and Intergovernmental Affairs): Mr. Speaker, as the member for Kitchener has inferred, and as the member for Lakeshore has suggested, this is to ratify sales, to make it crystal clear that title has passed to the purchaser. This used to be an annual event, as I understand it, which has not been thought necessary in recent years. There are one or two court cases now which have put a small cloud on title, and for that reason we thought it would be wise to bring in the bill. In addition to that ratification, the bill removes any ambiguity there may have been concerning the serving of notices by the municipality.

Insofar as the sale of these lands for tax arrears is concerned, I think there's no statutory defect.

If the Ministry of Natural Resources is not being informed or is not keeping itself informed, I think it's a matter of practical communication, so I will undertake to discuss this problem with that ministry and see what, if anything, further need be done in order to keep them fully informed.

Insofar as some number of people acquiring this land and thereupon offering it for sale to others, be they foreigners or residents, I think we should contemplate applying to municipal property the same rules we have applied to our own Crown lands.

Mr. Stokes: The first chance of refusal.

Hon. Mr. White: This is a matter which I have discussed internally in my ministry. I expect it should go to the municipal liaison committee for their consideration and advice.

I'm sorry to say I can't recall at the moment what stage this consideration has reached, but I will now give the undertaking to the members of the House that we will pursue this aggressively and put it on—it's probably too late for the December meeting, but if it is too late we'll ensure that it gets into the January meeting.

Mr. Speaker: The motion is for second reading of Bill 112. Is it the pleasure of the House that the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

MUNICIPAL AFFAIRS ACT

Hon. Mr. White moves second reading of Bill 113, An Act to amend the Municipal Affairs Act.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: This is a kind of interesting alternative situation, where the tax sales procedure's withholdings are not taken as applicable in a situation.

What I would like to know, without sending it to committee, is just how long the lands hang around in the possession, so to speak, of the municipality. If they don't take certain actions or send certain notices, the lands are in a sort of dangling position and may be redeemed by an owner within certain periods of time.

The mention in the side notes here is that land is held without declaring it is required for municipal purposes and land which is not sold either directly or by auction under the legislation, can be sitting around for 10 solid years in the possession of the municipality. Unless they take those particular acts and meet those conditions, they aren't in a position to sell the lands; nor are they in absolute or fee simple possession of those lands, really, because an owner may come out of the underbrush and seek to redeem the property, provided these things aren't done.

I know the government is seeking to foreclose this in some cases, but I wonder if the Treasurer really achieves the business—of vesting in the municipality in a way—with a definition that forecloses the possibility of redemption after a set period of time.

Mr. Breithaupt: Mr. Speaker.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: This bill is, in a way, almost a companion bill to the previous one with respect to the confirmation of tax sales. It allows the municipality to formally obtain title to the property and presumably then be in a position to pass that on.

Now the bill, as we see it, is attempting to regularize that presumption. As the member for Lakeshore has said, the point is raised with respect to the complete foreclosing of the interest of someone who has appeared on the title to the property.

Presumably, the reason for his amendment will be to regularize the procedure so that the municipality will be able to pass along a clear title, which in turn no doubt at some date in the future, will again be confirmed by the passage of another one of the bills, such as Bill 112.

Have there been some recent examples or opinions which the minister has received concerning the registration procedures and whether they are faulty? Perhaps the minister could just advise us as to that when he does respond on the bill.

Mr. Speaker: Does any other member wish to take part in this debate? The hon. minister.

Hon. Mr. White: Mr. Speaker, the court cases I referred to earlier, I do believe, have brought certain matters to light which these two bills together attempt to remedy. They are highly complicated, legalistic points, which frankly I am not competent to deal with in detail. If the hon. members wished, I would put these matters into a standing committee and let my legal officials discuss the legalities with lawyers who are members of the opposition. That may not be necessary.

My understanding from the explanations provided by my law officers, is that there has been some doubt about the requirement imposed upon municipalities with respect to lands being sold to satisfy tax arrears, and that the alterations being made in this bill will remove those ambiguities. Now sir, beyond that I am sorry to say my legal competence will not carry me. But I repeat the offer: If the lawyers opposite want to sit down with my experts and discuss these technical matters, I am very happy for them to do so.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Lawlor: No, send it to committee.

Hon. Mr. White: No; there is no point in sending it to committee of the whole House.

Mr. J. A. Renwick (Riverdale): Send it out to a standing committee.

Mr. Lawlor: The minister is so modest he—

Mr. Speaker: Shall the bill be ordered for third reading?

Mr. Renwick: No.

Mr. W. Ferrier (Cochrane South): Standing committee.

Mr. Speaker: Is it the wish of the House that the bill be referred to standing committee?

Agreed.

Mr. Lawlor: The Treasurer has to defend his legislation like a hawk.

Hon. Mr. White: Justice.

Mr. Speaker: The bill will be referred to the administration of justice committee.

Agreed.

Hon. Mr. White moves second reading of Bill 128, an Act to amend the Income Tax Act.

INCOME TAX ACT

Hon. Mr. White moves second reading of Bill 128, An Act to amend the Income Tax Act.

Mr. Breithaupt: Mr. Speaker, this bill, of course, brings into play at long last the commitments which form part of the budget of this province brought out by the Treasurer in April of this year.

It is interesting to note that the personal income tax rate remains at 30.5 per cent for this year. At least in the year before an election we are not going to see a change. Whether there is a change immediately thereafter or not, of course, only time will tell.

In my reply to the budget, I commented earlier on some of these particular items and I see no need to repeat the comments that were made at that time. The matters that are being changed in this bill, in fact, date from the date of the budget and the passage

of this bill will simply be the way of formalizing the commitments which the minister has made in his budget address. I suppose we could comment at some length with respect to the changes in the particular tax credits that are referred to in section 2. Whether they are sufficient or not is something which no doubt many members will comment upon as the debate on the formal budget resolution continues. I do not think it is necessary to comment at this time on those matters, because as I have mentioned my comments were made earlier on in the budget debate.

The various formalities which are included in this bill are matters of government policy and I suppose that any of the comments or suggestions at this point may fall on ears, if not deafened at least ears which have made other considerations and decisions earlier on. That is not to say that we mightn't get a full and a sufficient hearing, but I don't think that the comments we might bring at this stage will make any change in the passage of this bill.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: We are rushing here, Mr. Speaker, to get ahead of each other to comment from the New Democratic Party. I regret that weather and other things—including municipal elections, which are now held in December unfortunately—kept me away from the House yesterday.

I do want to comment on the bill, though, because when the principle was raised in the House as a part of the minister's budget speech he made a great song and dance about the radical revisions of the tax credit scheme which were proposed as part of that budget. Unfortunately I don't have with me our precise calculations about the effect of the new tax credit arrangements, but I can put one or two general comments on paper, and possibly we could return to the specifics when it comes to the committee stage of the bill. I think it should probably go to the committee stage.

The first thing is that the tax credit is mainly still available to people as a result of their occupancy costs in property which they happen to occupy, whether as tenants or as owners. It never made any sense to us to allow tax credits of the order of $400 or $500 to be permitted, because this was simply pandering to people in a very peculiar situation who happened to have the advantage of great resources behind them, even if their current taxable income might happen to be low.

As I recall, the kind of example that was given to the minister was of somebody who had a property which was very expensive to maintain, say a hobby farm up in King township north of Toronto, or in Maple, which cost them in the order of $6,000 or $7,000 or $8,000 a year, but who had basically quite a small income. The kind of situation would include the scion of a wealthy family who occupies a property that has been bought for him with some family money and some inheritance money, and he is paying off a mortgage but is still studying at York University and, therefore, his overall income is not very great. That is the kind of individual who would be in a position—

Mr. G. Nixon (Dovercourt): How many of those are there?

Mr. Cassidy: There are not very many. But why should they be permitted to go through in the Treasury's kind of loophole?

Mr. G. Nixon: The member is reaching.

Mr. Cassidy: I realize that, but the Treasurer is reaching in allowing this kind of tax credit. There is no realistic situation the Treasurer can advance to the House today that would justify increasing the maximum tax credit from $400 to $500 on the grounds of equity or fairness to people on modest incomes, because people on modest incomes are simply not in a position where they can benefit from tax credits which are that great.

As I say, I wish I had the specific figures available to me. As I recall, the maximum tax credit which a person with a small taxable income would be capable of getting would be of the order of maybe $150 to $200, and no more. Likewise for a pensioner, the maximum tax credit that a pensioner might have would be of the order of $200 and perhaps, on rare occasions, $250. Now that's pretty darn small, Mr. Speaker, and it certainly doesn't justify the increase in the limit on the tax credit which can be computed.

The second thing is that the Treasurer is guilty of what can only be described as double-counting, because he has made a great to-do over the course of the last six months, I think it is, about the doubling of the tax credit on property from $90 to $180 —I think I have the figures correct—as is proposed right here. What he hasn't mentioned is that at the same time the deduction of

one per cent of taxable income was changed to a deduction of two per cent of taxable income.

The double-counting came in this way, Mr. Speaker. The Treasurer was saying that the doubling of the property tax credit from $90 to $180 was a means of compensating people for the increase in fuel costs that came about because of the energy crisis during the course of the past year and one half. In fact, in Conservative literature in the by-elections in both Stormont and Carleton East this was put forward as a major element in the government's inflation-fighting programme. They kept on saying to voters: "We have doubled your property tax credit to $180; that means you are going to be $90 better off."

The fact is that the combined measure of doubling the property tax credit, and then increasing the deductible from one to two per cent of taxable income, in effect gives more tax credits at the lowest end of the income scale. For people who have no taxable income at all, for example, either those with a very small income or those with a large number of dependants, there is a real increase—small but real—of around $75, $85 or maybe $90 in certain rare cases. For that small step towards a guaranteed income for the poorest members of our society; okay, we welcome it. We would that it were something more concrete, more positive and more sensibly thought through; but nevertheless we welcome any small step. On the record, I think it is fair to say that the cost of living for those families with no taxable income has certainly gone up by more than $90 over the course of the past year. But nevertheless something was done.

For the average family in the province however, a family earning the industrial wage of $180 a week, or $9,000 a year, there is no real benefit, Mr. Speaker, from this combined change. If they have a taxable income of about $5,000, then the doubling of the property tax credit increases what they keep out of their income by $90, but the doubling of the deduction takes away about $50 or $60 of that amount, and they are therefore left with maybe $25 or $30. This is not helping them to have a better kind of overall position if the Treasurer is trying to apply the money also to reducing the impact on them of the energy crisis.

In gasoline alone, the average family is paying more in four months to run its car and for necessary transportation than the $30 or $40 which they might get from the Treasurer's change in these tax credits and deductions. In fuel oil, the increase for the average family has been of the order of maybe $100 to $150, which is far greater than the $30 or $40 your ordinary homeowning family might possibly expect to get—and many families will get far less than that.

I think it should go on the record that this Treasurer deals in legerdemain, that he is a prestidigitator. He is always trying to pull the blinds over the heads of Ontario people and trying to convince them that they are getting something that they are not getting at all; and he is doing that in this particular case. People are not getting an additional $90 a year as a result of this particular budget; they are getting somewhat less than that.

For the average family income in the province, which is up over $12,000 a year, in fact there isn't a single thin dime, either to increase the equity of after-tax incomes or to compensate or help protect those families against the increased cost of energy in their fuel oil and gasoline bills.

The other major part of the bill, Mr. Speaker, is the increase in the pensioner tax credit, which is a grandiloquent and magnificent $10 a year—something like 90 cents a month, something like three cents a day. The Treasurer in this particular bill goes down as "Three-Cents-a-Day John," because that is all that he is prepared to do for pensioners.

If I can return to the general concept, Mr. Speaker, we in the New Democratic Party have not found fault on a general basis with the direction in which the Treasurer appears to be moving in that tax system. What we do find fault with, though, is that he is simply tinkering, playing, dabbling, titillating and nothing more in the kinds of moves he is making to try and get greater equity in peoples' disposable incomes or in their after-tax incomes by use of the tax system.

It's notable, Mr. Speaker, that at the recent meeting of welfare ministers, Ontario was the holdout against efforts by the federal government to move quickly to some form of a guaranteed-income system for people on low incomes. Whether it was the Minister of Community and Social Services (Mr. Brunelle) or the Provincial Secretary for Social Development (Mrs. Birch) or the Treasurer, Ontario's approach was not to go that route but was to use the tax credit route. Our experience in the province, Mr. Speaker, is simply that the tax credit route is quite thoroughly inadequate for the needs of low-income families in the province. If the Treasurer wishes to use the tax credit route as a major means of equalizing after-tax incomes, then more power to him, and I would

almost hope that thin "red" Tory streak which occasionally dares to show its head—

Hon. Mr. White: On a point of order, Mr. Speaker, I will not have that said about me.

Mr. Speaker: Will the hon. member continue?

Mr. Cassidy: The minister may be thick in girth, but his ideology is only seldom red in hue. That's why I refer to it as a thin "red" Tory streak—maybe I could call it a thin streak of "red" Toryism and the minister would be happier.

Mr. Ferrier: The Treasurer is wearing a red tie.

Mr. Cassidy: That's right.

Hon. Mr. White: True blue all the way.

Mr. Cassidy: At any rate, Mr. Speaker, we are not getting any radical kind of change, and in fact poor people in the province are steadily falling further behind rather than moving further ahead with the succession of budgets that has been introduced by this particular Treasurer and his predecessors.

If he wants to come before us seriously with a tax credit system to equalize incomes or to move a large stride towards equalizing incomes in the province, then let's see what he's got. But this kind of tinkering just isn't worth the paper it's written on. I wish the Treasurer would stop crowing so much when he accomplishes so little.

Mr. Chairman: Does any other hon. member wish to take part in the debate? The hon. minister.

Hon. Mr. White: Mr. Speaker, from $305 million to $375 million in one crack—a $70 million increase—is some tinker, I would say. But before I get into those details let me review briefly the background of the tax credit system and let me remind the members that Ontario was the first jurisdiction in the world to introduce a meaningful tax credit system, that being an evolutionary way to bring about a guaranteed annual income for everyone in this province.

Mr. Lancelot Smith was appointed to a royal commission about 1962. He was charged with the responsibility of making the tax system here more progressive and effective, taking into consideration all taxes—federal, provincial and municipal. He and his experts considered the tax credit system very carefully and recommended against it. The select committee which was established in June or thereabouts in 1968 had no biases, I think one could say, in approaching the matter. We found ourselves subjected to the daily persuasion of a very clever economist from McMaster, who was consulting economist to the select committee, Mr. John Allan, now a senior official in the federal government—with the Ministry of Finance, if I'm not mistaken.

Mr. Allan explained to the hon. member for Lakeshore and I and the other members of that committee—

Mr. Cassidy: They were the only two members of the committee, as a matter of fact.

Mr. Speaker: Order please.

Hon. Mr. White: —the undoubted advantages of the tax credit system, with the result that the select committee did so recommend; and I think if my memory's correct, recommended that unanimously. In 1969, the Treasurer of the day, Mr. Charles MacNaughton, accepted that recommendation and we embarked upon, as I say, the world's first tax credit system leading to guaranteed annual income.

As I have had occasion to mention in the House before, about a year and a half ago the British government announced it was embarking upon a tax credit approach to guaranteed annual income. At this time Mr. Heath claimed they were the first such jurisdiction to contemplate such a progressive measure. Our legislation, in fact, had been in force for several years.

Mr. Lawlor: It also went to VAT.

Hon. Mr. White: When I became Treasurer, Mr. Speaker, we were dedicating $180 million to this programme. In my first budget, in April 1973, I increased that dramatically from $180 million to $305 million, which took the average credit per household from $78 to $127. And last April I found it possible to increase the resources from $305 million to $375 million.

Now, this $70 million, which the hon. member for Ottawa something—

Mr. Renwick: Centre.

An hon. member: Take-off inflation at six per cent a year.

Hon. Mr. White: Ottawa Centre calls a tinker, constitutes about 1½ points of personal income tax; and a couple of points, I suppose, or nearly a couple of points, of corporations tax. It constitutes about 75 or 80 per cent of

all the proceeds from our gasoline tax. So by any definition, $70 million is not a tinker; $70 million constitutes an increase in one year of 23 per cent; and as I've pointed out, in two years we have more than doubled this programme.

But this isn't the only move we've made. There are some even bolder. We've introduced the first guaranteed annual income scheme in this province's history—still the largest in the world to the best of my knowledge—for the elderly, blind and disabled.

Mr. Cassidy: After a number of other provinces led the way.

Mr. Lawlor: That's where the Treasurer begins to go overboard.

Hon. Mr. White: We have, at the same time, increased in the last few years our grants to municipalities by more than $1 billion to a new total of more than $2.4 billion, all of which take the burden off the property taxpayer and make our entire system more progressive.

Mr. Lawlor: It doesn't amount to a guaranteed annual income; it's just nibbling away at it.

Mr. Cassidy: The property tax hasn't dropped any either.

Hon. Mr. White: The complaints made by the hon. member for Ottawa Centre about occupancy costs pandering to people with great resources behind them and low income, is just one of those mythical ghosts that float through the none-too-realistic minds of socialists. There may be one person in a million who has enormous resources and no income, but to single out that kind of example and to suggest, or imply, if in fact this was the idea, that this should bring about some kind of dual income and wealth criteria, quite frankly would make the entire operation completely unmanageable.

Mr. Cassidy: We see no other reason for increasing the tax credit.

Hon. Mr. White: However, if the hon. member is serious about it, let him show me how both of these objectives could be embraced in one formulation simple enough to be understood and utilized by the average taxpayer in this province.

Mr. Renwick: The Treasurer hasn't mentioned his land transfer tax yet.

Hon. Mr. White: The hon. member has pointed out that the maximum credit for a pensioner would be a couple of hundred dollars. In point of fact, that isn't true at all. The maximum was raised from $400 to $500 and the effective average for people in my town will be probably $230 or $240 this year.

He accuses me of sleight-of-hand in respect to moving the property tax credit from $90 to $180, thereby scooping in hopefully some portion of the increased heating costs, while at the same time increasing the deduction from one per cent to two per cent of net taxable income. In point of fact, Mr. Speaker, this was done in part at the urging of the NDP to make the entire process more progressive, and as we did increase that deduction we did shift the benefits onto the lower-income groups.

Let me turn to the budget once again. Those with gross incomes up to $5,000 received tax credit benefits totalling $72 million of the $180 million in 1972; $140 million of the $305 million in 1973; and now $182 million of the $375 million in 1974. The proportion paid to the lower-income groups has risen while the moneys paid to the middle-income groups has remained more or less constant. As the member pointed out, there is a real increase to the low-income earners.

Ontario has led the world in this respect. My hope for the future for this province is that we can continue the determination to invest large amounts of money in an ever-increasing tax credit system, which brings to bear the impersonality of the income tax form; the confidentiality of the income tax form; the lack of regular supervision à la field workers, which is symptomatic of the income tax form, which brings with it all of the disciplines which we are used to in this society of the income tax system and which does certainly provide universal benefits to the less prosperous groups within our community.

Mr. Lawlor: The federal goverment doesn't want any part of it.

Hon. Mr. White: The federal government doesn't want any part of it? That is further evidence, surely, that we are on the right track. So, Mr. Speaker, I hope and expect that all members of the Legislature will support this additional innovation and enrichment to the tax credit system which Ontario has pioneered.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Mr. Lawlor: Committee.

Mr. Cassidy: Committee.

Mr. Speaker: Mr. Minister, committee of the whole House?

Hon. Mr. White: I am a servant of the Legislature. Free the servants!

Mr. Speaker: Committee of the whole House?

Agreed.

UNIVERSITIES CAPITAL AID CORP. ACT

Hon. Mr. White moves second reading of Bill 132, An Act to amend the Ontario Universities Capital Aid Corp. Act.

Mr. Breithaupt: Mr. Speaker, this bill briefly deals with a re-enactment of a section which will add the Ontario College of Art as one of the institutions whose bonds or debentures issued for capital aid construction projects may be purchased by the Ontario Universities Capital Aid Corp.

In this subsection, the Art Gallery and the Royal Ontario Museum are the other two parties, and of course following the procedures taken by this government, the debentures of these organizations, when approved, are available for purchase, if that purchase is approved by the Lieutenant Governor in Council. We had a somewhat lengthy debate several days ago dealing with the addition of these kinds of institutions to those for which the Minister of Colleges and Universities can make the suggestions for this kind of capital development.

In that debate we referred to the situation whereby deficit financing and all the other sorts of problems which presumably are the right of independent organizations and universities are seen to be, of course, the ultimate responsibility of this Legislature. Just as we have this kind of a debenture programme available here, we see once again that projects such as the Art Gallery and the Royal Ontario Museum, and now also the Ontario College of Art, are in spite of any presumption of the day-to-day independence of the institution, still the final obligation of this Legislature to ensure that they are successful and that they flourish.

So long as we are aware of that ultimate responsibility, we of course are therefore in a position to deal with these groups and organizations, even though they have their own statutes, with the reminder that it's the people of this province who are the ultimate persons who are going to pay, of course, if those institutions are not successful.

We commend the minister for adding the Ontario College of Art to this list, because we think that it is a logical extension following the other two that are in that subsection at the present time. We will support the bill.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, I would like the minister to confirm the assumption, which I've made since this bill has been on the order paper, that the purpose of the bill for practical purposes is to provide a facility for the funding of the debt incurred by the Ontario College of Art during the course of its renovation and expansion programme. Of course if that is the case, I would hope that the minister would give us some indication of any discussions which have taken place with the board of the Ontario College of Art as to the extent of funding that will take place and to the total principle amount of debentures or other securities that may be issued once this bill is passed.

Hon. Mr. White: Mr. Speaker, I'm not aware of any outstanding indebtedness which would be covered by the purchase of debentures from the Ontario College of Art. I think that has been handled by annual grants. I hark back now to the days when I had that responsibility as Minister of Colleges and Universities, at which time the college was not on a BIU system, but rather the BIU values which would have obtained were considered, and an annual grant was made to cover operating and capital costs. I think this is not intended to enable the province to buy debentures covering any previous capital investment, and my officials confirm that now.

Along with other measures, such as the adoption of the BIU system for the Ontario College of Art, the increase in its status to the equivalent of one of the universities of the province, the determined efforts made by its own board to enrich its curriculum, strengthen its faculty and so forth, this is one more endeavour on the part of the government to raise the status of the Ontario College of Art to that of a senior post-secondary educational institution in this province. It does seem unreasonable not to include them in the Ontario Universities Capital Aid Corp. Act because of the characteristics which they share with all of those institutions now in the Act.

Beyond that, I do believe that one can argue that there has been a better appreciation in recent years of the fact that education is a continuing process and is not confined to primary, secondary or post-secondary schools. The Act now includes the ROM and the AGO.

The college itself has reached out into the community in several ways. They have their own small gallery there; or did have when I was minister. I'm sure they still have. They are offering, if I'm not mistaken, a variety of courses so that persons like ourselves can take supplementary education at any age; and those endeavours will be broadened, no doubt, as time goes by.

So these cultural institutions, the ROM and the AGO, and the more formal educational institutions like the universities of Toronto and York are bridged, in a manner of speaking, by the Ontario College of Art, which stands midway in the cultural spectrum between the cultural institutions and the more conventional university institutions which I have mentioned. So I think we are doing the right thing when we add the Ontario College of Art to the provisions of the Act in front of us.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed.

ONTARIO MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM ACT

Hon. Mr. White moves second reading of Bill 160, An Act to amend the Ontario Municipal Employees' Retirement System Act.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): I have a few comments on this bill.

The operation of the OMERS board, looking after the pension plan payments of all the municipal employees within the province who are duty-bound to have their pension funds with OMERS, has come under some criticism in the last few years. The criticism, Mr. Speaker, has been due to the fact that the pension funds have been invested in the government, one might say; the government has used these funds, and the controversy has been over the rate of interest paid by the government for use of these funds.

As we are well aware, the government has used more and more funds from pension plans of various sorts within the province to finance its operation and I believe now the sum is well in excess of $1 billion. I believe about $1.2 billion is now available from the various pension plans from which the government borrows funds.

There is one question I would like to ask at the outset, Mr. Speaker—and maybe the Treasurer could answer—and that is, why is it that the government borrows funds in that amount from OMERS and other sources, when the bill which we passed last spring giving the Treasurer authority to borrow moneys was only set at $800 million? I know that the net result of the borrowing would be about $800 million because he, in fact, did pay off some of the present provincial debt with the extra amount. The province has borrowed well in excess of $1 billion from the various pension funds, but the authority to borrow was limited to $800 million in the bill.

Mr. Speaker, the exact name of that bill escapes me for the moment. It was authority for the province to borrow funds up to $800 million.

Since OMERS is a part of the source of funds which the government borrows, and since it has not been necessary for the province to go to the public money market for several years—I guess not since Mr. Robarts and the present Minister of Energy (Mr. McKeough) went to Germany to borrow the 50 million marks—we find that the financing of the province has now become dependent on the pension funds which are generated by OMERS, teachers' superannuation funds, and in particular the Canada Pension funds which are generated in this province and returned by the federal government to the province.

The rate at which the province will borrow moneys from OMERS was set a few years ago when the present Minister of Energy was provincial Treasurer, and it was tied to the weighted amount of interest paid by the province when it borrows moneys on its own behalf, or if in fact it hasn't borrowed money on its own behalf on behalf of Ontario Hydro. In years when the province does not borrow money on the public money market it, of course, has to back Hydro's borrowings. I understand that that is the rate that the government pays to OMERS. Now, this bill brings in two other matters which affect that interest rate, in that it regulates the interest rate paid to OMERS in relation to the long-term deben-

tures and bonds which are, by definition, "those borrowings and paper between 20 and 30 years."

That must have some significance, but not being active in the bond or money market, I don't know what it is. However, I suppose it has some significance that short-term borrowings of the government, if there be any short-term borrowings, would not be included to establish this rate. I presume short-term borrowings, if they are done by Hydro—and I am not sure if Hydro does any short-term borrowings—could be at a higher rate than long-term borrowings. That might advantageously affect the rate which OMERS would receive if all borrowings that are backed by the province were taken in and averaged out to establish the rate of interest paid to OMERS. So I would like the Treasurer to comment on that.

The rate is also affected by the fact that only borrowings within the Canadian capital money market are considered when the rate is established. I am sure that must have some significance in that it will affect that rate, perhaps at a lower interest rate, as the Canadian dollar goes up. I suppose the rate would increase on the foreign markets as their money is devalued.

An hon. member: That wouldn't affect it.

Mr. Good: In any event, the minister can probably explain that to us.

Now, the other main change in this Act is that the pensions board itself will be allowed to retain a portion of the money accumulated to the credit of the fund, as the minister and the board may decide. I understand the minister has said that in 1975 that would be about 20 per cent, if I am not mistaken. Perhaps he will comment on that.

The OMERS board can then invest that money in certain investments, subject to the limitations of the Pension Benefits Act. The part that I don't understand, Mr. Speaker, is why the Act says that this shall then be treated as a separate pension fund. That would be for administrative purposes only, I presume, and it would be a separate fund administered by the board, which would not come under the same administration as the other funds that are invested with the province. Perhaps we could get an explanation on that.

I think, Mr. Speaker, the only other thing I would ask the minister to comment on is whether some of the other problems have been resolved. The minister said last year there was going to be a complete review of the OMERS Act as to the scope of independence there would be for the OMERS board to set their own investment rates. I suppose this is now going to come as a gradual concession, as is 20 per cent rate increases.

I think there were other things regarding the benefits under the pension itself; when the pensions did arrive, they were under consideration by the task force that was investigating and studying the whole OMERS matter. Perhaps the minister could comment briefly on some of those aspects, too.

Mr. Speaker: The hon. member for Sudbury.

Mr. M. C. Germa (Sudbury): Mr. Speaker, I would like to make a few comments on this bill. We know that the OMERS pension fund has been under severe pressure for the past several years. When the province first instituted the plan, it took the attitude that, by some divine right, it had complete and total control over the moneys accumulated under the plan. There has been considerable pressure by various municipalities, municipal organizations and employee groups to have these funds released to the benefit of the municipalities concerned. I don't see, within the amendments that we have before us now, that the desires of the municipalities or their associations have been met or even that the employee associations have been taken into consideration.

Recommendations on municipal fiscal reform were prepared by the Association of Counties and Regions of Ontario in October, 1972. I'll quote from recommendation 14:

> We recommend the establishment of a pool of funds for use of municipalities by the province which would be similar to that currently available to district boards of education. The obvious way to establish such a fund would be the use of moneys in the Ontario Municipal Employees' Retirement System fund.

I can't find any quarrel with such a recommendation. We all should understand that there is no provincial contribution whatsoever into this fund. The province doesn't accept any liability if there were a deficit to be accrued. The employer pays his percentage and the contributing municipality pays the other percentage, so I am at a loss to understand why the Treasurer has not acceded to the demands made by them.

A further recommendation came from the Association of Municipalities of Ontario on the subject of the investment of funds paid

into the Ontario Municipal Employees' Retirement System. They recommend: ". . . "and further, that municipalities have access to OMERS funds." So you see, it is pretty universal, and if one looks into the matter one has to agree with the demands made by the municipalities concerned.

I should also like to point to a statement by the Treasurer himself entitled "Public Finance," dated October, 1973. The Treasurer is quoted here: "To encourage municipalities to make greater use of their credit, Ontario is considering releasing some portion of the pension funds generated by the Ontario Municipal Employees' Retirement Scheme." So the Treasurer himself at that point in time came to the conclusion that the municipalities should have access, and that is precisely the thrust that I would like to make here—that the municipalities have been short-circuited in the minister's view and that they have no specific right to this fund.

I did try to investigate what is meant by section 3(3b), which states that the board will have the right to invest certain amounts of funds which are released by agreement between the Treasurer and the board "subject to the limitations of the Pension Benefits Act." I have looked at the regulations as contained under the Pension Benefits Act and I don't see in there that there is even any such provision. The Treasurer might correct me on that, because it makes reference to a Canadian statute which I couldn't get my hands on.

I would ask the Treasurer: Do the regulations as contained in the Pension Benefits Act preclude this investment or advisory body of the OMERS board from making investments or buying municipal debentures? Are they specifically denied that right? I wish the Treasurer would answer that one specifically, even though I would rather have seen it contained in legislation and it should have been directed that a certain percentage of these funds should be put into municipal debentures.

I am also a little bit leery about section 3(3a), dealing with the amount of the funds which would be released from investment in Ontario government debentures—the amount or percentage of the fund. I would like to know if there is a formula developed for determining the percentage. Is it a percentage value or is it a dollar value or would it be just at the whim of the Treasurer of the Province of Ontario? It seems to imply that the Treasurer still has full and total control over the disposition and investment of these particular funds.

I do agree that the legislation has some merit in that there is a certain percentage of funds that is going to be released. I agree with that but I think the Treasurer could have gone a lot farther in reaching the needs and demands of the thousands and thousands of municipal employees, employees of boards and commissions and municipal councils, in their demand that these funds generated solely by themselves should be put to their benefit.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: There is just one point I would raise to echo what the member for Sudbury has said, that is, it doesn't make sense to me when there has been so much difficulty with OMERS in the past and when, frankly, the validity of the powers of municipal employees to get better pension conditions has been thwarted, because of the inadequacy of the return on OMERS investments for the Province of Ontario, that the crucial subsection (3a) should be left completely unspecific. It seems to me that the legislation should say specifically, at least for the first two or three years, what is the minimum proportion of resources that will be made available to the trustees for them to invest in securities other than those of the Province of Ontario. That should be very specifically laid out.

The minister is liable to say what a great job OMERS has done and so on. I recognize with him that the pensions don't only bear relationship to the contributions, although they do mainly in the case of OMERS. Nevertheless, if decent interest rates had been paid, there would be more flexibility and more power on the part of the trustees to have approached the province for better terms and conditions for their pensioners rather than having to come cap in hand as has been the case in the past.

Would the minister state as a question of policy what portion he intends to agree upon in the first year? Will that be a minimum? Will it increase over a period of time? What is his target for the proportion of free resources in any year from pension contributions which will be made available to the trustees to invest as they wish, either in government debentures or in other securities?

Mr. R. Haggerty (Welland South): Mr. Speaker, I just want to ask one question of the minister. Of the number of members of the board, how many of them are from the

persons who contribute to the OMERS plan itself?

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. minister.

Hon. Mr. White: Mr. Speaker, OMERS was a tremendous breakthrough 15 years ago. At that time, members will recall, there were dozens, maybe hundreds, of little pension plans sprinkled all over this province, some of them without very much expertise behind them, and some of them rather small quantitatively. All of them were quite different one from another, so that it was impossible for a young man or woman to start as a clerk in Exeter and move up to be assistant clerk in Strathroy and one day to be the chief administrative officer in London without leaving behind many pension benefits.

One of the objectives of Mr. Frost, if I remember correctly, in bringing in OMERS was to strengthen the municipal employees system all over this province, enabling the young man or woman to go into municipal administration as a professional knowing that he had the mobility to move from place to place and work his way up the ladder to one of the most senior positions. As OMERS was introduced under the supervision of a board, an arrangement was made to ensure over a protracted period of time—30 years perhaps, maybe 50—the viability of the plan. That's the reason that Ontario agreed to provide debentures with fixed interest, so that benefits could be calculated on an actuarial basis.

When one of my hon. friends says that we're dependent upon these borrowings, I think it would be fairer and more accurate to say that they are dependent upon the debt which we create for them. Just as, in fact, a modern industrial state such as Canada is dependent upon the debt generated by the federal government in order to keep this enormously complicated monetary machine working away. In the absence of such a debt, quite frankly, a modern industrial state such as Canada would be impossible.

Some years ago when the hon. Charles MacNaughton was Treasurer, it was decided to convert all outstanding annual obligations into one important new document, and at that time a rate of interest was agreed upon —there being no dissent, let me say. A generous rate of interest was decided upon; I remember the explanation very, very well in our caucus—the explanation by the Treasurer that it was going to cost us more money, that it would strengthen this particular measure and enrich the municipal system across this province.

What happened, of course, was the rate looked less and less attractive as interest rates elsewhere went up. So about a year ago I was faced with a proposition, with certain of these arrangements coming to conclusion on Dec. 31, 1973, as to whether or not I would convert as per that old arrangement or on some richer basis. Frankly, I was getting advice from some who said a deal is a deal—people very sympathetic towards OMERS too, I'm quick to say—and the deal was to convert these open debentures at such and such a rate of interest. While that may not be a good deal today, it was a good deal when the deal was made. In Treasury your obligation does not go beyond that arrangement.

Now it seemed to me, rightly or wrongly, that we had a particular obligation to the OMERS group, because unlike some, the teachers' superannuation fund for instance, this is self supporting. The moneys come from the employer. When my hon. friend from Sudbury says that we contribute nothing towards this fund, I point out that we're carrying 60 per cent of the educational costs in this province from the provincial taxpayers, so we're paying 60 per cent of 50 per cent of the total inflow from that direction, and we're paying about 48 per cent, perhaps 49 per cent, of the municipal costs. So, we're paying about half of half of those contributions and thus we are the most substantial contributor, indirectly, to the enormous funds pouring into the OMERS pension plan.

At any rate, as I say, when I was faced with this conundrum a year ago I decided to do the decent, in part because the fund is self supporting, in part because it seemed to me to be anathema to permit a particular group of people—in this case municipal employees—to in some fashion subsidize the taxpayers in general. We struck a new bargain which cost a very large amount of money in year one and hundreds of millions of dollars over the life of the contract, so we did the decent on that occasion.

Faced with broader considerations, once again I wanted to do the fair thing. There was considerable agitation to free up some or all of these enormous funds for investment in instruments other than provincial debentures. Quite frankly, had they had that right in years gone by, my guess is they wouldn't have done as well as they did by investing in Ontario. However, I know as a politician that this point will never be made until the

participants in OMERS have an opportunity to compare their earnings in Ontario debentures and their income from non-Ontario debentures. I point out to you, Mr. Speaker, that when HOOP, the Hospitals of Ontario Pension scheme, was given this freedom, its rate of return was something like two per cent in contrast to many pension plans, particularly in the United States in the last year, which have been heavy in equities, which seemed so attractive a couple of years ago, it must be said, with Dow Jones hitting 1,062, or whatever it peaked at, in contrast to today's 635 or thereabouts:

What kind of result have they had in the last year or so? Well, I will tell you, Mr. Speaker. They have had a minus return. So the returns being enjoyed by OMERS in the best credit instrument available in North America—that is to say, Ontario government bonds—the return on those very safe debentures looks pretty good, I dare say, in contrast to a couple of years ago, when equities were booming through the ceiling and other funds looked to be superior in some sense to this one.

The $800 million, which was the permissible limit contained in a bill earlier this year, has nothing to do with OMERS at all. OMERS is a separate authority to borrow. That $800 million was the additional incremental moneys which Ontario could borrow. Of course, as the hon. member very well knows, we have reduced our outstanding public debt by $594 million in the last 19 months or thereabouts, and the legislative authority which we obtained was simply to enable us to borrow in the name of Ontario for use by Ontario Hydro.

The reason for the separate fund is because the portion to be invested in securities, other than Ontario debentures, comes under the Pension Benefits Act, which provides certain limitations. We will be considering the proportion not invested in Ontario bonds as a separate pension fund so that the proportions required by the Pension Benefits Act will be applied to that portion of the total moneys and not to the aggregate amount, which includes the investments in the Ontario bonds. That is the reason for that.

Some questions were asked by the hon. member for Waterloo North about the independence of the board. The board has the statutory authority and responsibility for investing these moneys, and it has the legislative capacity to establish an investment committee to advise it in the matter, whether that committee be internal or external. It thereupon becomes the responsibility of the OMERS board to direct the investment of up to 20 per cent of their new income, starting in 1975.

If I may take just a moment on this, there was the possibility of having the minister responsible to the Legislature, with an OMERS board concentrating on the benefits side, and an OMERS investment board, so to speak, concentrating on the income side. It seemed to me that having two boards coming together in some coalescence and reporting to the minister was not as clean a line of responsibility as the solution which we have arrived at and which is mentioned in this bill, namely having the minister reporting to the Legislature, with an OMERS board totally responsible for the activities of OMERS reporting to the minister and with an investment committee, internal or external, reporting to the board.

If the performance is not good, you know exactly who to go to. The minister of the day will go to the board and say, "Hey, it is not good enough." And if the performance doesn't improve, I suppose there will be changes made to the chairman and to the board itself. If, on the other hand, the board isn't getting the performance which it desires and requires from the investment committee, I suppose they will change the committee; and this will keep the lines of responsibility very clean.

The member for Sudbury uses words which are intended to provoke, no doubt, and in that respect are very successful.

We have no divine right to these funds. We are attempting to secure the future of thousands and thousands of municipal employees. I have gone into the history very briefly. In fact, it's a much longer and much more successful story than I could possibly tell in an impromptu debate of this kind.

We have no divine right. We have a very serious obligation to protect pensioners, 10 years or 50 years from now. For that reason, we are attempting to accommodate what he chooses to call the heavy pressures. In point of fact, these have been inspired by him and certain other people; certain dissatisfactions which have no grounding and reality, but are rather the deliberate ploy of politicians with separate motives of their own. These persuade members of OMERS, because of variations in benefits between them and another subsidized fund, that they are getting lower rates than are sustainable.

This isn't a fact at all. We are turning up a very good rate of interest, as I do

believe the future experience of this board will prove. When they find themselves getting more money on the Ontario side than they are getting on the other side, only then will the realization come to the thousands of people thus protected that they've had a good deal from Ontario. The proportion of the fund freed up for investment in other than Ontario debentures may be put into a variety of instruments, including municipal debentures.

The member for Sudbury used the words, "the right of the municipality to the funds." The municipalities have no right to those funds. The municipalities may sell their debentures in the market and the OMERS investment committee may recommend, and the board may purchase, municipal debentures through the market. They are not an ipso facto extension to OMIC. We have the Ontario Municipal Investment Corp. right now, which will take issues from municipalities if our borrowing rate, plus a small increment, is less than the market rate they themselves would have to pay.

But let no municipal authorities in this province think they have some kind of automatic access to these moneys. The OMERS board's obligation is to the participants in OMERS; it isn't to fund the municipalities in this province. If the OMERS fund buys municipal debentures, turning up an appropriate rate of return for their participants, there will be a new source of moneys for the municipalities. That is a byproduct of the changes we're making, but I'm quick to say it is not the principal purpose of the changes we're making.

The member for Ottawa Centre—who jumps in and out of here like a jackrabbit; and I see he's jumped out now—talks about "decent interest rates." What's he talking about? Decent interest rates! When we made the deal several years ago, we paid better than the going rate. When we adjusted that a year ago, we paid up to or better than the going rate. What's he talking about? It's absolute foolishness.

Here, again, I have to say when a proportion of the total income may be invested in debentures other than Ontario, we will have the arithmetic proof that we've done the decent thing by this very important and prestigious group of citizens.

I was asked to comment, as a matter of policy, on the new constraints. The OMERS board has set forth a policy document, dated April 9, and called "The Ontario Budget Statement." It will be entitled to invest up to 20 per cent of its total 1975 income in securities other than Ontario. If the board, on the advice of its investment committee, decides to invest five, 10 or 15 per cent in year one, that will be, no doubt, acceptable to the government. Because, quite rightly, they are a little concerned about the expertise and the mechanisms which they have yet to develop, and which they are now developing, to look after these very important investments. Because of their long-lived responsibilities toward recipients decades from now, of course they're going to approach that with a degree of care and caution which doesn't typify the member for Ottawa Centre or some of his colleagues.

Now, the question was asked as to how many members of the board are actually OMERS participants. I am informed that there are two employer and six employee contributors, for a total of eight contributors out of 11.

So, Mr. Speaker, these measures in this bill are completely in keeping, I do believe, with the recommendations of the OMERS report, the author of which is Mr. Paul Hickey, who has a long experience in these matters and whom I am glad to recognize in the House here today. He has been involved in this since the very beginning of the plan, 15 years ago or thereabouts, and he has been a source of strength to us as we evolved this new, and no doubt better, arrangement. Mr. Al Reeve, who was with my ministry and is now the general manager or managing director, is also here. I congratulate and thank both of these gentlemen for the good work they are doing on behalf of the participants in OMERS and the people of Ontario.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Clerk of the House: The second order, committee of the whole House.

INCOME TAX ACT

House in committee on Bill 128, An Act to amend the Income Tax Act.

Mr. Chairman: Are there any comments, questions or amendments to this bill and, if so, to what section?

The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Section 2.

Mr. Chairman: Nothing in section 1?

Section 1 agreed to.

On section 2:

Mr. Lawlor: We have four or five of these credits around now, the newest one being the small businessman's tax credit, which of course is contained in other legislation than this. But the minister perhaps could explain or send over a mathematical calculation having to do with the change of the one per cent to the two per cent of the taxable income in a year. What is the rationale behind that? I would like to know how you work it out in some detail.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): Well, sir, we have large volumes of statistics dealing with this very subject. I rather believe I loaned copies of a graph flowing from the columnar statistical tables to the member for—he has been so quiet these days I have forgotten what he calls his riding—Riverdale (Mr. Renwick). I think he can photocopy those. However, let me send you all of this data, which will show that the middle income ranges received the same or a little bit more than they had the previous year, while the lower 20 or 30 per cent received very considerably more.

There are some rather aggregate figures in the budget papers themselves.

Mr. Lawlor: Take table 7 in the budget papers.

Hon. Mr. White: Well, I was thinking of table 9 on page A-13. It shows the distribution of total Ontario tax credits and really shows the relative shifts in benefits to the lower income groups.

Mr. Lawlor: It doesn't touch the problem I was talking about—taxable income offset.

Hon. Mr. White: Oh, I see. Well, I will get that information for you. I will have it sent.

Mr. Chairman: Any other comments, questions or amendments to any section?

Mr. M. Cassidy (Ottawa Centre): Yes, on section 2, Mr. Chairman.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you very much. The minister said to me that I was putting outlandish comments on the record in criticizing the proposal to raise the maximum credit from $400 to $500. I worked out for the benefit of the minister some hypothetical examples. I would ask him to put a couple of examples on the record too to show where actually lies the need for increasing the total from $400 to $500. Frankly, I think it should probably be reduced. At any rate, it should not be increased. The only people who are to benefit are the friends of the member for Prince Edward-Lennox who are in this very rare and unusual situation of having lots of assets but not very much current income.

I'll give you the examples, Mr. Chairman.

Mr. J. A. Taylor (Prince Edward-Lennox): How does the member conclude that?

Mr. Cassidy: Well, he could speak to the debate as well.

Mr. Chairman: Would the hon. member direct the questions to the minister through the Chair?

Mr. Cassidy: I was being interrupted from my left flank, from the rump, Mr. Chairman.

Hon. W. A. Stewart (Minister of Agriculture and Food): The member is so far to the left there is nobody to the left of him.

Hon. Mr. White: There is nobody on his left.

Mr. Chairman: Order, please.

Mr. Cassidy: The Treasurer keeps on trying.

Hon. Mr. White: He has got to turn right to shake hands with Mao Tse-tung.

Mr. Cassidy: The first example I would give would be is it possible for a couple or for a family with a number of children, if they have a normal kind of income and pay what would we would consider normal kinds of costs for their housing, to benefit from this increase from $400 to $500 in the maximum exemption? As far as I can see, the answer is no.

Take a family with 10 children. There are not very many of those these days. They would have a credit of $64 for the sales tax, a credit of $180 basic and a credit equal to two per cent of their rent, which, for the sake of argument, we will assume is $400 a month or $4,800 per year. That gives them a total credit of $340 total, Mr. Chairman—$64 for sales tax, $180 for basic and $96 for their rent.

Hon. Mr. White: Plus $180 if they are elderly parents. That makes it $520.

Mr. Cassidy: Elderly parents? The elderly parents get it separately. Given all of that and assuming they have $6,500 in gross income and, therefore, have no taxable income, then their maximum credit with 10 kids is $340. That assumes that they pay rent at $4,800 out of a total income of $6,500, which is clearly—

Mr. L. Maeck (Parry Sound): That example is typical all right. How do you pay $4,800 rent when you are only making $6,500, Mr. Chairman? Give a reasonable example.

Mr. Cassidy: It's a very good question. From minister's limits – the $400 to $500 thing—I don't know who is meant to benefit. It doesn't even benefit this kind of hypothetical situation which obviously is pretty outlandish.

Mr. J. A. Taylor: Fantastic.

Mr. Cassidy: In the next example—the minister has the figures in here—a couple, both over 65 years of age with gross income of $2,000 and rent at $1,750, get a credit of $368. If their rent goes up to $2,000, so that every penny they get in gross income is going out on rent, then their tax credit would be increased by $5 and they would be then left, I guess, with $30 a month from the credit to pay for their food, their clothing and all the other essentials after paying their rent.

Maybe I've found one here for the minister. At $4,000 gross income, if they paid all of their income in rent they would then be eligible for a tax credit of $430 or $440; I have found a place where the minister's exemption might be deemed to apply. But it simply isn't realistic to assume that an elderly couple is going to be paying $4,000 in rent out of a total gross income—not net income—of $4,000, and that income includes, of course, all other pensions.

Mr. J. A. Taylor: Not with the GAINS programme.

Mr. Cassidy: The GAINS programme is included. This is gross income, and income under GAINS is eligible.

Mr. Chairman: Order, please. The hon. member will address his remarks to the minister through the Chair.

Mr. J. A. Taylor: The difference being $2,700 times two. Right there that would be $5,400 minimum.

Mr. Maeck: Yes, $5,400 minimum.

Mr. Cassidy: Okay, Mr. Chairman, a family with $5,400, that paid $5,000 a year in rent would have a total credit of about $410, I believe; at any rate, it is unrealistic that old people are going to be paying that much in rent. They pay far less.

The other example I had was two adults —and this is a hypothetical situation—the children of E. P. Taylor, for example, or some scion of London, who have an income of around $3,000 a year, and therefore no taxable income, but who occupy a family estate on which they pay taxes of $2,880 a year. This is for the sake of discussion, Mr. Chairman. Their property tax credit would be $288 plus $180 plus the sales tax credit, for a total of $500. But something is very fishy when people who occupy a property that is worth between $150,000 and $250,000, but who happen to be income-poor for various reasons, obviously of choice, but who have all sorts of resources around them, can get a maximum tax credit increased from $40 to $500 while people in much lower income brackets don't get very much at all.

I'd like the minister to say why it is that those people, hypothetical as they may be, stand to benefit, and why it is therefore that the limit is being raised, because none of the examples that I have put forward of people who are poor are realistic. People with 10 kids on $6,000 a year don't pay $4,500 a year in rent. People who are couples of 65 and over, earning $5,000 and $6,000, don't pay $4,500 or $5,000 a year for luxury penthouses in Benvenuto Place or places like that. They live in much more modest accommodation.

I just don't see the purpose of this increase in the limit, and I'd like the minister to say whether he has got some instances that could persuade the House that it really is worthwhile increasing the maximum and that it isn't just a knee-jerk reaction either by the minister or directed to a particular group of which he is aware, who don't really need the benefit, or that it's a knee-jerk reaction by civil servants.

Mr. Chairman: The hon. member for Riverdale.

Mr. J. A. Renwick (Riverdale): The whole basis of the minister's tax credit system, as we have said on many occasions, is based on a total misunderstanding—I think a deliberate misunderstanding—of what a guaranteed annual income concept is supposed to be. But I am not here to argue that particular point at this time.

When we talk about these minor tax credits which the government introduces as a method of equalizing the distribution of income, I'd like the minister to try to give me the present facts about income distribution for the Province of Ontario. The information I have is only based on the total Canadian figures and, as I understand it, they are the latest figures available. I think they are extremely striking and deserve a little bit of comment. There is no particular merit in anything I have to say other than that these were the statements given by the hon. Marc Lalonde quite recently in Toronto, based on the latest statistical information which was then available.

I'd like the committee, Mr. Chairman, to just note some of these startling facts about what happens in Canada, and presumably in the Province of Ontario, to the people in the lowest 20 per cent of the income brackets of the country:

1. There was a total of five million families, including couples without children, in 1972.

2. Twenty per cent of the families, one million of them, received less than $5,516 a year.

3. This means that one fifth of all Canadian families were required to live on incomes of less than one half of the national average family income.

4. The share of total Canadian family income being received by this bottom 20 per cent of the families was less than six per cent.

5. The distribution of income of individuals is biased even more in favour of higher income people than is the distribution of the income of families.

If it were not for the transfer payments by the various levels of government to the lowest income groups, the 20 per cent of Canadians receiving the lowest family income in 1971—which is the latest year for which they were then available—would be receiving not six per cent of the total family income in Canada but only 3.4 per cent. Put another way, for families actually receiving $4,000 or less, over 50 per cent of their income came from transfer or social security payments.

The hon. Marc Lalonde made a number of other points. The next most important one that struck me anyway was:

> Despite the redistribution measures governments have undertaken [and the minister will agree that these are redistribution methods he is using in his tax credit system] that is, despite the increases in social security payments and despite the progressivity of the income tax, income distribution in Canada has changed very little in the past 20 years. The share of family income going to the bottom 20 per cent of Canadian families has not increased; nor has the share going to the top 20 per cent decreased; and similarly, the shares of the middle 60 per cent have remained relatively constant . . .
>
> In 1951 the families in the bottom 20 per cent of the income scale received 6.1 per cent of the total family income; in 1972, they received 5.9 per cent. Their share did not increase.

Well, one could go on. The conclusion which the hon. Marc Lalonde spoke of was that the shares of family income enjoyed by these several income classes have remained remarkably stable over 20 years despite the enormous increases in social security payments. If anything, the relative position of the lowest income group has deteriorated. Whereas in 1951 the families on the bottom 20 per cent of the income scale had to live on 58.5 per cent or less of the median income, in 1972 they had to live on income of 53 per cent or less of the median. This is not to say that the absolute incomes of the poor have not risen. Of course they have, but they have risen less rapidly than the average incomes of others.

He himself drew these three conclusions:

> 1. There is a remarkably large number of individual Canadians and families receiving a very small share of the total income;
>
> 2. The share of income going to the lowest paid individuals and families has been increased enormously by the improvements in Canada's social security system, relative to what it would have been without these changes; but
>
> 3. None the less, the share of income going to the several income classes . . . has remained remarkably constant over the 20 years.

All I am suggesting to the government is that it has been the government for this period of time. I would assume that the income distribution figures in the Province of Ontario for the lowest 20 per cent would be relative to the figures which are given for the whole of Canada in relation to their total income. If not, I would like to see what the income distribution figures for the Province of Ontario are on the latest statistics and on the basis of the 20-year period used by the hon. Marc Lalonde.

So that when we are asked, in dealing with a section of this bill, to deal with the family credits, for the government to stand up and attempt to take credit for the fact that it's the first jurisdiction in the world to have introduced this kind of a scheme, something called a guaranteed annual income scheme, leaves me just a little bit cold. Because, if anything, you have done less than maintain the relative position of the lowest 20 per cent. And in speaking, when I say "you," I mean you and the federal government under all of the joint programmes which are designed to assist those persons in the various low income groups and, presumably—and I've only referred to the statistical information for the lowest 20 per cent; the other figures are available in the speech as well.

But for those people in the lowest 20 per cent, you've done little if anything to permit them to survive in an economy such as ours, which is now plagued by inflation and now threatened by a form of recession. And it just seems to me that is doesn't really quite make sense for the minister to take that kind of credit. I think a small tinge of modest humility on the part of the Treasurer, recognizing the intractable, difficult nature of the problem, would be much more appropriate than extolling the question of whether he or former Prime Minister Heath in Great Britain were the first ones to come up with this scheme.

Until you begin to grapple with that kind of income distribution problem in the Province of Ontario, it's going to be extremely difficult to make us believe that this kind of tax credit system is the equivalent of what we consider to be a guaranteed annual income. I'd suggest that the minister some day take out of the library the book which outlies nine different versions of the guaranteed annual income scheme.

I would suggest the scheme put forward by this government is the most niggardly of all of the possible schemes. I'm not an expert; I'm not an economist any more than the minister is a lawyer. I'm simply saying to the minister that the fundamental question of the distribution of income in the Province of Ontario is a continuing, difficult problem, a difficult problem of government and one which has got to be recognized by government and one which the government has to be prepared to understand, and not to keep telling us that they've got the finest system in the world, or that they're the first ones in the world.

Mr. Chairman: The hon. minister.

Hon. Mr. White: Let me deal first of all with the comments of the hon. member for Ottawa Centre and the remarks about the $500. Let me make it clear that the $500 is not a minimum, it's not a mean, it's not a median, it's not a mod; it's exactly what I said it was, namely a maximum.

Mr. Cassidy: Which is not needed.

Hon. Mr. White: Why a maximum? Because there may be—I said one person in a million earlier, when the hon. member was quarrelling with the idea that some people who had a high property-to-income ratio would be getting undue benefits. That's the reason for the maximum.

Why do we go up from $400 to $500? Because, in general, the system of credits had been increased by approximately 25 per cent—or to be precise, 23 per cent. So the illustrations were required as set forth in one of the budget papers. I'm looking at page A-10 and following it to make it abundantly clear that the $500 didn't have application to most people.

Mr. Cassidy: Can the Treasurer give an example of someone in need who would get more than $400?

Hon. Mr. White: Well, I guess grandparents entitled to the pensioner benefits, with a large flock of grandchildren, would be up to the $500; certainly more than $400. The hon. member, inadvertently by selecting illustrations, provided one set of circumstances that would yield tax credits of $430.

Now, to come to the more meaningful point raised by the hon. member for Riverdale, I'm not trying to take a lot credit for tax credits. That came from the collective wisdom of Lawlor, myself and our mates on the select committee of 1968. I'm not trying to take any credit as the Treasurer because I didn't introduce the system.

Mr. Renwick: If I happen to make any interjections, I don't want the Treasurer to believe for a moment that they are directed at my friend from Lakeshore.

Mr. Lawlor: I will take the credit for that part of it that is official, but—

Hon. Mr. White: I had the feeling that all of the credit for the credits might go to your colleague, while all of the imperfections were caused subsequently by us on this side of the House, so I am not enjoining the member's colleague in our sins of omission and commission.

Mr. Lawlor: Does the Treasurer really think that the tax credits will become a guaranteed annual wage?

Hon. Mr. White: Yes, I do, if the members here present fully comprehend and support it.

Mr. Lawlor: Can you give us the up-to-date figures?

Hon. Mr. White: I don't know what the numbers are in Ontario, although the Ministry of Community and Social Services will know. They have been working very, very assiduously for a couple of years, putting together a wide variety of data and explanations of options open to us in keeping with Marc Lalonde's objectives to try to rationalize the system and provide more resources for these lower-income groups.

Mr. Lawlor: They won't do it by way of tax credits.

Hon. Mr. White: So while the figures that were used by the hon. member were for Canada, I don't suppose Ontario's are a lot different. Why hasn't this changed, given the strivings of politicians of every political hue in provinces all over this country? That is the conundrum. The answer isn't known. I am glad to say that the Ontario Economic Council has taken this on as a special project. This matter was discussed with me by the chairman of the Ontario Economic Council several months ago. The study is under way and I hope it will reveal some of the answers.

I was interested to hear about the five million families, including couples, 20 per cent of which will be one million families, because this is the figure I have used in casual conversations. If we are spending $4 billion, which is one of the numbers one hears, for all kinds of benefits, including pensions and—

Mr. Renwick: All kinds of transfer payments.

Hon. Mr. White: —all kinds of transfer payments, and it is probably higher than that now, we are, of course, looking at $4,000 for each of these million families. However, given the sliding slope of this curve, you wouldn't have to give the person at the 20th percentile $4,000. This would make it possible, surely, to give the poorer citizens in this country $6,000 or something and slide it up from there. It is beyond my competence to design such a plan. Mr. Eberlee, I do believe, was one of the persons working on this and the research has advanced quite a long way. It is a co-operative effort with the federal government. So those attempts, coupled with the findings of the Ontario Economic Council, will I hope point the way to better performance in the future.

I think one cannot overlook, however, that the transfer payments per se are only part of the solution to having a just and equitable society. One has to look at the tax credits that we are talking about now, the GAINS programme, the lessening dependence on the regressive property tax, other new measures like free prescription drugs for those in need, the special rates for OHIP, and a variety of other measures, many of which lie on the revenue side.

Even more important—and I make this point in all seriousness—is the expenditure side. We are increasing grants to universities and community colleges. I am going to single this out for illustration. I haven't seen these for a couple of years, but if one graphs the income and wealth holdings of the parents of students in universities, one has a population skew to the right—that is, to the upper income groups. If one does the same thing with the parents of young men and women attending community colleges, one has a graph skewed to the left. When these two are added together one has a very close fit with the normal curve for the population as a whole.

When we announced the new grant for universities and community colleges, all kinds of remarks were made outside this chamber and in this chamber. I don't think I heard a word on behalf of community colleges. It is very, very interesting the way in which the vigorous top 20 per cent—because that's what we are talking about—succeed in maintaining their proportion of overall national income and, I do believe, fairly successfully, of government expenditures themselves.

Here again we have endeavoured — with limited success, I grant you—to tilt government expenditures towards the lower income groups. That's why, for instance, while total provincial moneys to universities have gone up 16 per cent this year, we're going up by something like 19 per cent to community colleges. That's the reason we're investing more in public transit and relatively less in reinforced concrete overpasses. But it's quite a fight, and I'm really looking forward to seeing the product of the Ontario Economic Council's consideration of this problem.

Mr. Renwick: Perhaps the minister would allow me to make a comment. I'm delighted to hear that we're not going to leave the matter with the—I'm not suggesting the Ontario Economic Council is not the place. It seems to me that the information which is required on income distribution is much better found in this ministry and in the Ontario Economic Council, provided we can wait so long for it. I'm glad it's coming out of the Ministry of Community and Social Services, because that information, obviously, is never provided in the Province of Ontario. I've never seen figures of that kind of breakdown similar to the ones which Marc Lalonde gave. It's not a criticism of the Ministry of Community and Social Services, because that's not their function. They're not geared to deal with that kind of question the way the federal Department of Health and Welfare are geared to deal with that problem.

This ministry, in fact, has the resources and the facilities to make the kind of calculations and to make the kind of statistical analyses which would provide us with the information, so that government policy can be redirected to that problem. To have gone this long and to find 20 years later that the lowest 20 per cent received the same portion, and all of the quintiles received the same relative portion then, it then seems to me that the ministry requires a total redirection of its thinking and some new ideas about it.

I'm delighted to hear the Treasurer recognize that the top 20 per cent, or the top 40 per cent, seem to be able to garner the ear of government with respect to the expenditures which are made and to benefit from them. It's very difficult, without cancelling out all of the government's expenditure side, except the transfer payments, to ever come up with comparisons between each of the five quintiles that are of any sense. I'm glad to hear the minister recognize it.

I really don't want to go on. This is committee of the whole House. I just simply wanted to say that one has to look at a tax credit system of this government in relation to the overall distribution of income to all of the members of the Ontario community. And, particularly, I think, in sightful comparison, this whole question of using the five quintiles as a basis of comparison—rudimentary as it may be and based upon statistics which are not necessary absolutely current, but they are the best that we have.

Hon. Mr. White: Mr. Chairman, we have rather good statistics available from the federal government as they relate to income taxes. They are singled out for Ontario. I wouldn't want it believed by the members of the Legislature that we have taken the lead in trying to develop alternative surveys for categorical programmes. Because, in fact, Mr. Eberlee, when he headed up that particular endeavour was reporting to the Ministry of Community and Social Services, although we have had input to that committee. The Ontario Economic Council, which does report to the Legislature through the Treasurer, is my more direct responsibility—and they are embarking upon the study which I mentioned to the House today.

Mr. Chairman: Shall section 2 carry?

Section 2 agreed to.

Mr. Chairman: Shall the bill be reported?

Bill 128 reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill without amendment and asks for leave to sit again.

Report agreed to.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 112, An Act to confirm Tax Sales.

Bill 128, An Act to amend the Income Tax Act.

Bill 132, An Act to amend the Ontario Universities Capital Aid Corp. Act.

Bill 160, An Act to amend the Ontario Municipal Employees Retirement System Act.

DOG LICENSING AND LIVE STOCK AND POULTRY PROTECTION ACT

Hon. Mr. Stewart moves second reading of Bill 143, An Act to amend the Dog Licensing and Live Stock and Poultry Protection Act.

Mr. Speaker: The member for Huron-Bruce.

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a few comments with re-

spect to this bill. We are going to support the bill. I think there are a number of good features in it. It's an amalgamation of two Acts, the Wolf Damage to Live Stock Compensation Act, 1972, and the Dog Licensing and Live Stock and Poultry Protection Act.

I guess it is a matter of streamlining the procedure for farmers who experience wolf and dog damage throughout the province. Farmers will be compensated for wolf and dog damage on exactly the same basis. In the instance of wolf damage the municipality will compensate the farmer, and then the municipality will be reimbursed by the province for wolf damage. In the case of dog damage, the municipality continues to compensate for that damage on the basis that the municipality gets the dog licence.

Mr. J. E. Stokes (Thunder Bay): Does that include litter?

Mr. Gaunt: I see nothing wrong with that particular system. I really don't know what is going to happen with respect to wolf damage throughout the province. It's a thing that is recurring more frequently. It's occurring in parts of the province which never experienced it before. I feel some additional steps are going to have to be taken to curb this kind of damage. I know in my part of the province this is becoming more and more common and the damage is more and more extensive. It seems to me that what the province has done in recent years is certainly not helping the farmers in coping with this particular problem.

As I understand it, the Ministry of Natural Resources paid out something in the neighbourhood of $51,000 for claims under the Wolf Damage to Live Stock Compensation Act for the years 1973-1974. I suggest to the minister that that figure is going to continue to escalate and we are going to see a very rapid escalation in the next few years, based on the reports of wolf damage and injury, and even death in the case of livestock killed by wolves.

I hope the minister, in conjunction with the Minister of Natural Resources (Mr. Bernier), will give some thought to this problem, because I think it's more serious than was first thought to be the case when the other Act was repealed. I recall the member for Victoria-Haliburton (Mr. R. C. Hodgson) and others making some comments at that time and expressing some concern as to the effect this action would have. I think what he said and what others said at that time has really come true. The province is going to have to come to grips with it in a more effective way than has been the case to date.

Having said that, I want to leave that particular point for a moment and deal with the matter of dogs running at large. I would certainly agree with the principle enunciated in the bill where the trespass is enlarged in respect to dogs. It used to be that dogs were only trespassing if they were running at large on a highway. That was a very narrow definition. I think many of the municipalities and dogcatchers throughout the province wanted a broader interpretation of the Act than that in order to do their job effectively.

The minister has broadened that definition to include any place other than the premises of the owner of the dog. But then later on in the bill, he saw fit to restrict the right of an individual to enter any premises. That seems rather peculiar to me, because I think in the later section he has nullified any effect he had in the previous section where he broadened the definition.

Previously, I suppose we could take the case where a dogcatcher would be driving down the road and see a dog on another person's premises, he didn't have the right actually to move in and convict the owner of that dog of trespassing; but he could, I suppose, hypothetically, get out of his car, go onto those premises and chase the dog onto the highway. Then he'd be within his full legal rights to charge the owner of that dog with allowing it to run at large.

The minister has broadened the definition of that to include any premises other than the premises of the owner of the dog, but he has limited the right of the dogcatcher or any individual acting on behalf of the municipality to enter any premises where he may feel that a dog is running at large.

In the final analysis, I say to the minister, I think the effect of broadening the definition of "trespass" has been completely nullified as far as the actual application of this Act is concerned. I would hope the minister would take a look at that again, because I think there could be a problem there. Perhaps we should be looking at redefining the right of a dogcatcher to enter premises where he has a right to believe a dog is running at large on premises other than the premises of the owner.

I don't think I have anything further to say on the bill other than on the Wolf Damage Assessment Board. It seems to me that won't be a very active board. I am wondering if the minister sees this as sort of the agricultural senate—

Interjection by an hon. member.

Mr. Gaunt: —where people might wish to have an appointment to this board. But I really believe they are not going to have very much to do. Maybe in my later years, when I retire from politics, the minister might consider appointing me to the Wolf Damage Assessment Board.

Mr. R. G. Hodgson (Victoria-Haliburton): Right after the next election.

Hon. W. A. Stewart (Minister of Agriculture and Food): I will keep it open until after the next election.

Mr. R. F. Ruston (Essex-Kent): For the member for Victoria-Haliburton.

Mr. Gaut: Then I would be able to see first-hand what would be required.

Mr. J. E. Bullbrook (Sarnia): He's going to be like Jack Pickersgill. He's going to appoint himself.

Hon. Mr. Stewart: At the same salary, I take it.

Mr. Gaunt: In any case, if the minister would appoint me, I could perhaps do a little lobbying and see that I was appointed chairman. Then we could go on from there.

Hon. Mr. Stewart: I thought I would restrict that to myself.

Mr. Ruston: The member for Huron-Bruce wouldn't want that job.

Mr. Gaunt: No, I don't really think I would.

Mr. Bullbrook: We have got him pegged for the pregnant mares urine advisory board.

Mr. Gaunt: Perhaps if the appointments aren't too long in coming, I could handle both. In any case, with those comments I say we are going to support the bill. I hope the minister will give consideration to the two points I raised.

Mr. Speaker: The member for Prince Edward-Lennox.

Mr. J. A. Taylor (Prince Edward-Lennox): Thank you, Mr. Speaker. I'd like to commend the minister for introducing this bill. It certainly will gain a great deal of support, and has, from constituents of mine. As members probably know, my predecessor, Norris Whitney, was the expert in this House, and probably in the Province of Ontario, in regard to wolves. He no doubt knew more about wolves than probably the wolves themselves.

Interjections by hon. members.

Mr. Bullbrook: Other than the former member for Sudbury who was an authority, or the antithesis, I am not sure.

Mr. J. A. Taylor: The former member for Sudbury, Mr. Sopha, at times rose to the occasion by way of interjection and by way of contradiction, but there is no question that Norris Whitney was the expert and still is the expert. I must say that his concern was very real indeed.

Mr. J. A. Renwick (Riverdale): It sounds as though Norris Whitney wrote this speech.

Mr. J. A. Taylor: We have experienced in Prince Edward county, and in other parts of my riding, a great deal of damage through the activities of the wolves and the hybrids. This loss has been aggravated by the problems the farmers were experiencing in terms of processing their claims, and once the claims were processed in actually being paid for damage to the livestock.

The mixed jurisdiction of the ministries of Agriculture and Food and Natural Resources, I think, unduly complicated the matter. In terms of the present legislation, of course, the township inspector will be responsible for examination of the carcass and whether the kill is a result of dogs or wolves. We will have one person who can examine the carcass. He will be there promptly and he will be a local person who will have an understanding of the local problems of the area and of the farmers who are and must be served.

I think this is just a tremendous change in the legislation. Hopefully, it will lessen the aggravation we are experiencing.

At the same time, there is still a concern in regard to the number of wolves and cross-bred wolves and dogs. I suppose the wolf doesn't have a predator except man.

When we discourage hunters from killing the wolves—and I think we have done that to some extent in regard to taking off the bounty—then we do have an increase in the wolf population. So I still think we have to make sure that we step up our predator control programme, because whether the person is compensated to some degree or not, it is still a loss to find that his herd has been attacked by wolves.

In the case of some animals there may be some argument as to whether they were dead

before they were torn apart or whether they were actually killed by wolves. There still is that uncertainty, there's still the concern; and there's still the problem of processing claims. So I would hope that the Minister of Agriculture and Food will still work with the Ministry of Natural Resources, as I know he is doing, to step up the predator control programme.

I think that the current legislation, of course, will go a long way in helping the farmer. I may say just in closing, Mr. Speaker, that I had a very strong supporter and ardent worker of the NDP call me to ensure that I convey the message to the leader of that party to support as strongly as possible this legislation and it was badly needed and worthy of support.

Mr. Speaker: The member for Victoria-Haliburton.

Mr. R. G. Hodgson: I know this bill is very badly needed in our community because just recently, I believe, the minister has been talked to by one of my constituents who has had problems in Emily township. She apparently has had a problem with the hybrids, which are the main problem. It is very hard to define whether they are dogs or whether they are wolves, and I am pleased that we are going to have a better and more efficient way of defining the damage and how it was done.

I hope part of the legislation, Mr. Speaker, will be that the notification of damage to a township clerk will be treated as sufficient notice in itself without notifying the local representative of the Ministry of Natural Resources, because often the people who are involved these days are part-time farmers, not necessarily full-time or living actually on their farmland. My problem in one or two instances has been in this vein, where the people live in the city and come back on the weekends. Maybe they have somebody looking after their animals through the week, but when they get there they find some damage and they notify the local clerk, and there just hasn't been sufficient evidence except for the clerk's notification, let alone notification to the Ministry of Natural Resources. I hope this will be a matter that will be taken into consideration in connection with this bill.

The other problem I think we still have is a need for a little better predator control programme. I hope that the minister mentions to his colleague that there is a need, especially in some areas of Ontario where there are sheep and other animals, for further protection. I can mention one of two townships in my riding that I think need this sort of thing.

I know we have just recently received money for a better predator control programme in the county of Haliburton. We do need a predator control programme of a better nature in the townships of Somerville, Carden, Laxton, Digby and Longford, as well as in Emily, because in those townships we have wild dogs. The wild dog is very hard to catch, or it is difficult to determine if the predator control programme is sufficient in dealing with them, because in most cases a wild dog does not do the things a wolf does. While a man might be fully-trained and knowledgeable about a wolf, he doesn't really know all that much about the wild dog, because it's a mixture. Now, when these wild dogs are hunted, they run the fence rows, and that is not the nature of a true wolf. The wolf just takes out across country and leaves the territory. These wild dogs just run around, like chickens around a barnyard; they run around the fences and they're a real problem.

The lady, I think, mentioned it to the minister. She had a problem with her children. The predator control programme officer, I believe, has moved out to try and do something in that territory. But we need a little better predator control programme in the county of Victoria. We're on our way to a solution in Haliburton county. I think this legislation is good legislation, and I heartily endorse it.

Mr. Speaker: The hon. member for Lanark.

Mr. D. J. Wiseman (Lanark): Mr. Speaker, I would like to congratulate the minister on the changes in the Act. But I'd also like to bring out a point that I don't think has been mentioned yet. The Natural Resources people have done a good job, but in all fairness they're not farmers. When it comes to compensation, I hope some direction will go out from the minister's office to the evaluators.

They pay according to the weight of the lamb, or whatever it might be, based on prices here in Toronto that day. They should take into some consideration the farmer's other costs for that lamb or the sheep. In other words, if the lamb weighs 25 pounds, they pay a quarter of what it would have brought had it been 100 pounds here in Toronto. But we all know, those who come from a rural background, that the farmer has to take into consideration his pasture costs; his cost of breeding that old ewe again and having her in lamb for another year. So

unless direction comes from the minister or one of his officials, probably compensation will be carried on in the same manner.

As my colleagues mentioned, the members for Victoria-Haliburton and Prince Edward-Lennox, I think we have to get improved predator control for our area. I think maybe the Minister of Agriculture and Food could talk to the Minister of Natural Resources and see that we do get that.

In the county I represent, we have one man for the whole region. With the number of wolves he just can't organize hunts against these wolves as he should. So I think we should get more predator control officers to help to control the problem.

I would like to have seen it left with each county to make up their own mind whether they paid the bounty or not, but that's another ministry.

I would like to congratulate the minister and ask him for gosh sakes to give these fellows who go out a little direction on what they pay to the farmer. Thank you.

Mr. Speaker: The hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Mr. Speaker, it's almost like Christmas here today, with everyone getting up and being in complete agreement and praising the minister for what he's doing. And not to destroy the festive air, I too wish to stand in my place and say I will support the bill and congratulate the minister for bringing it forward.

Mr. R. B. Beckett (Brantford): There must be something wrong.

Mr. P. Taylor (Carleton East): Heresy.

Mr. Reid: Mr. Speaker, as you know, I'm from northwestern Ontario, where probably the stereotype idea of northern Ontario is one of, particularly at this time of year, frozen rock and trees. As the minister well knows, and I must congratulate him on his knowledge of my area, he comes often—trying to get rid of me, I think, is probably part of the reason he's up there—

Interjection by an hon. member.

Mr. Reid: But regardless of the motive we appreciate his interest in our area.

Mr. E. R. Good (Waterloo North): He also buys cattle up there.

Mr. Reid: He knows, probably better than anyone else, that there is, at least in our area, a substantial farming community. We have something in the neighbourhood of some 25,000 cows, cattle and so on; it's a substantial industry in the Rainy River district. We have suffered from predators probably more so than down in southern Ontario, not just the wolves and the brush wolves, but the wild dog, the "half-and-half," and so on and so forth.

I know the minister's had many representations from the Rainy River municipal union and the farm organizations in the area to do something in this regard, because under the previous system, if the Natural Resources personnel weren't satisfied that it was a bona fide wolf—and I am not always sure how they arrived at that—the farmer often had to take the loss. This Act will go a great deal further to satisfy their claims and their compensation, and provide the remuneration to which they are entitled.

I suppose, perhaps, we should throw in the fact that we'd like to see payment for bears too. I don't believe it is in this Act. The odd time this too is a problem, particularly in those areas in northern Ontario where there are farming communities.

In any case, I am glad to stand and support the bill, and again congratulate the minister on bringing it forward.

Mr. Speaker: The member for Huron.

Mr. J. Riddell (Huron): Just a few brief remarks, Mr. Speaker. Certainly I support the bill, having had considerable experience raising sheep at one time in my life, but I am rather sorry there are not provisions made in the bill whereby a person can enter the premises where the dog comes from if he happens to have trailed that dog home, having had his sheep molested by the dog.

Mr. E. W. Martel (Sudbury East): By appointment with the dog?

Mr. Riddell: I think one should be able to enter those premises and have the right to do so. I can well recall being involved in a situation in which sheep were molested by a dog, the dog was trailed home, but I was not able to enter the premises. When I did get the policemen in on it they said: "If you can prove there is wool in the dog's mouth then we can go in and probably do away with the dog."

But by the same token you can't enter the premises, according to this bill, even though you have trailed the dog home to that prop-

erty where he comes from, knowing he has molested the sheep.

I am wondering if the minister could comment on that?

Mr. Speaker: Any other hon. members wish to speak to this bill? The member for Wentworth.

Mr. I. Deans (Wentworth): Mr. Speaker, what I know about wolves and dogs you could write on the head of a pin, but I am kind of curious about something and maybe the minister could answer it for me.

Mr. Renwick: The member shouldn't make a statement like that.

Mr. Deans: Oh, well, I have got to tell the truth in this House, that's a prerequisite, a requirement for membership.

I must confess to the minister that though I have a fairly large rural section in my riding, it is not something that has been brought to my attention frequently, although it obviously is a concern of a lot of other people in the area.

I would like to ask why it is that there isn't some form of insurance against loss from this kind of thing. Why would it be done in this way, as opposed to, let's say any other losses that a person would suffer as a result of accident or whatever else it may be attributed to. I have never quite understood why we would levy against a municipality, a municipality would levy against the taxpayers, and then it would reclaim indirectly from the government some or all of what it had spent.

I think maybe if the minister could explain to me the reasoning I might well understand it. I am certainly not opposed to ensuring that loss of livestock be covered, and certainly loss of livestock as a result of—

Mr. Stokes: Predation.

Mr. Deans: Predation; thanks. Predation, my colleague tells me. I wonder if that is in Webster's or Funk and Wagnall's.

Could the minister tell me something about the reasons why there isn't an insurance programme? There is crop insurance, there is insurance against hail, there is insurance against every other thing. You are insured if your building collapses or if it catches on fire, whether accidentally or purposely, as long as you can prove that it was an accident. I would appreciate it if the minister could tell me about that, then I would feel more comfortable about supporting this kind of legislation.

The other thing I want to say is that I think it should be a requirement of municipal law enforcement officers that they spend a little more time trying to find the owners of these animals. I tend to think that quite frequently municipalities don't devote very much time to it, they sort of write it off and it becomes a public debt; which may well be a little onerous from time to time and may not be quite appropriate.

Mr. Speaker: Any other hon. members to speak to this bill? The member for Essex South.

Mr. D. A. Paterson (Essex South): Mr. Speaker, my comments will be very brief, but one of the most significant details in this bill hasn't been mentioned as yet, and that is the fact that game birds are now being included as poultry within the meaning of the Act.

The minister is aware that during the past two or three years the game bird fanciers have made representation to me, and through me to him. In fact last year I did introduce a bill for this very provision. On behalf of these game bird fanciers in Ontario I appreciate this inclusion in this particular bill.

Mr. Speaker: The member for Thunder Bay.

Mr. Stokes: I just want to lend my words of commendation to those of the members who have already spoken. As a matter of fact, most of the comments that I get from people are that the natural balance will take care of most predators. I realize there are certain areas of the province where this is a real problem. I have only had one incident brought to my attention, and it wasn't wolves at all but wild dogs. Of course from a cursory examination of the bill this will be provided for, so I too would like to commend the minister for having brought this piece of legislation forward. I'm sure it will go a long way to meeting a lot of the problems which people have been experiencing as a result of predation.

Mr. Speaker: The member for Algoma.

Mr. Martel: The wolf hunter himself.

Mr. Deans: This is a memorable occasion.

An hon. member: What kind of wolves is the member going to talk about?

Mr. Stokes: It brings him back to his wedding night, doesn't it? Remember that?

Mr. B. Gilbertson (Algoma): I'll be ready to speak when these interjections are finished over there. We've got to let them have a little fun, Mr. Speaker. They pick on me a little bit because I'm good natured.

An hon. member: And good looking.

Mr. Gilbertson: Mr. Speaker, I certainly want to join with the others who have already spoken. The member for Algoma represents his people up there and we have quite a lot of farmers who have been bothered with wolves destroying the livestock and so forth. Mr. Speaker, I am not going to speak very long on this. I only want to say that I want to congratulate the minister for this step he's taken. I really appreciate it and I'm supporting the bill 100 per cent.

Mr. Martel: This is the member for Algoma's finest hour.

Mr. Speaker: Does any other hon. member wish to speak to this bill? If not, the hon. minister.

Hon. Mr. Stewart: Mr. Speaker, I almost hesitate to get up because everything has been so pleasant.

Mr. Martel: That's why the minister is blushing.

Hon. Mr. Stewart: First of all, I naturally appreciate all the support that has been afforded to the bill.

The matter of dogs running at large was raised by the member for Huron-Bruce. Frankly, I expressed the same concern to our legal branch when they were drafting the bill. The idea of putting in the section—and I think he is referring to section 1(4): "Nothing in subsection 2 confers on any person a right to enter any premises,"—is that what has happened in the past is, apparently, that where a person found a dog on his property—this really refers to the urban community more than the rural community—he has sometimes called the dogcatcher and said: "There are dogs on my lawn"; or "They're in the garden," or "Theyre tearing up the flower beds"; or something like this. The dogcatcher simply said: "They're not on a public place; they're on private property, so I can't do anything about it."

So section 1(2) of the bill says: "A dog shall be deemed to be running at large when found in any place other than the premises of the owner of the dog and not under the control of any person." It makes it possible that the person whose property the dog is on can now call the dog control officer in the local municipality and invite him to come to that place, and he has the right now to go on that person's property and take the dog under control.

Mr. Gaunt: Does that mean he has to be invited?

Hon. Mr. Stewart: He has to be invited. It simply prevents the dogcatcher from seeing a dog anywhere that hasn't got a licence or a tag on it.

Mr. Renwick: Is the owner of the premises permitted to hold the dog there?

Hon. Mr. Stewart: I am not sure about that. But in any event he could go into any place and take that dog. We simply say the dogcatcher isn't going to be able just to go down through the backyards of any lots in town, because one would get into real trouble in that regard. So that's why it is there. I don't think it will inhibit the bill, but it is put there as some protection to people who may not have the same feeling as others might concerning those problems.

The Wolf Damage Assessment Board to which my friend referred is involved, as the bill explains, where a municipality is making claims against the province for damages attributed to wolves. If there is some doubt in the mind of the commissioner, before he submits payment back to the municipality he can refer that specific claim to the assessment board. They then have the right to thoroughly investigate the matter. I hope there won't be much requirement for their use, and I don't suppose there will be, but nevertheless we think it is important to have them here.

I support completely the increased predator control programme that is in the planning stage and is certainly being expanded on by my colleague, the Minister of Natural Resources. We feel that there is room for this programme to be stepped up. It has been beneficial in some areas. We think there is room for a good deal more work to be done along this line, and I would agree completely with those who have so suggested.

As for the matter raised by my friend from Victoria-Haliburton on the notification of a township clerk re the damage, I assume that this applies where a farmer finds a loss to his livestock. Where this happens, it says on page 3 of the bill that the farmer "shall immediately notify a valuer for the local

municipality." He might do that through the township clerk, if he didn't happen to know who the valuer was, but he would do it directly, Mr. Speaker, and would not have to call a local representative of the Ministry of Natural Resources. It would be done by the valuer, and we intend to call together the local valuers, on a regional basis throughout the province, for a brief meeting with them and some of the Natural Resources people, to describe to them the difference between what can be described as a wolf kill and a dog kill; because I am told by those who know that there is a significant difference. So the valuers in their respective municipalities can determine who should pay the bill; is it the local municipality or should the municipality then bill the province to pay for the loss sustained?

I believe it would be fair to say that where there is a loss attributed to dogs, local valuers do take into consideration the points raised by my friend from Lanark; much more so than perhaps those who did the appraising from the Ministry of Natural Resources, because I think they went entirely by the book and really didn't take into consideration some of these other points. But, of course, the right of appeal was granted to the farmer, and in many cases the appeals were heard and upheld and more money was paid for losses sustained.

The matter of trailing the dog home, raised by my friend from Huron is a very real problem, and I am quite familiar with what happens. It happened to me once too, many, many years ago. It's difficult to prove that fact and I don't really know how one comes to grips with it. Some suggested that there be greater enforcement by the local dog control officers in assessing the damages against claims that have been made, and I would completely agree with that.

I recall one particular case, where damages had been sustained by a flock of sheep and the dog had been trailed right home in this particular case. The first question asked was how much damage had been done, before there was any ownership claim to the dog. When there were damages indicated that would have to be paid for, knowing full well that the township could come on to the owner of the dog, there was no claim made as to the ownership of that dog on that particular farm, although it was peculiar that we found that was the place he went to. So the appropriate action was taken by the owner. Perhaps a little more devotion to the family pet might have been prescribed there, but it wasn't. I think there is difficulty in dealing with that subject and, frankly, the bill really doesn't come to grips with that particular matter.

With regard to the question raised by my friend from Wentworth as to why there was no insurance against the loss, first of all, this bill is known as the Dog Tax and Live Stock and Poultry Protection Act. The dog tax in most municipalities – certainly in the rural municipalities–is used to pay the claims of damages. It's really the insurance premium that is paid.

Mr. Deans: Could I ask the minister a question now?

Hon. Mr. Stewart: Let me just mention to the member further that if a farmer doesn't agree with the amount of the limit described in the bill–I have it here someplace; it's in the original bill, what the limits are that can be paid; I think $100 for a sheep, a goat and a hog and $500 for a horse or a cattle beast are maximum amounts that can be paid–then the farmer can insure over and above that, particularly if it's purebred livestock. I think the insurance premium is about three to five per cent of the value that he places on them. This is being done.

Mr. Deans: Would the minister permit me to ask–I am really curious as I don't know and I'm not trying to be clever or anything –what happens in the case of a municipality immediately surrounding a major city or growth area? Quite obviously, that municipality has a problem, because they've got the livestock, but the dogs could well be coming from the larger municipality and they get off scot-free more or less. What does one do then?

Hon. Mr. Stewart: This is true, and certainly that is the case around large urban areas. There's no question of that at all. But the local municipalities normally are able to collect enough revenue to offset the losses they sustain. In the case of any wolf or hybrid losses that will be sustained, they will be paid by the province out of the fund that will be established.

I think really the bill does come to grips with some of the major problems that have been related to us many times over where there has been delay in the settlement, caused by not being able to find the local valuer or the person who could assess the claim in the Ministry of Natural Resources because that person had many other responsibilities. We think by bringing it back to the level of the local municipality and the local evaluator

carrying out these claims, much of the distress and the concern will be eliminated.

Mr. J. P. Spence (Kent): May I ask the minister a question?

Hon. Mr. Stewart: Yes.

Mr. Spence: In regard to Indian reserves, if wolves or dogs come out of reserves, do they collect a dog tax?

Hon. Mr. Stewart: I don't think they do because they are not assessed as a municipality. So I doubt if they would. It's a difficult one but I don't think that has ever been any problem. Frankly, no one has ever asked me that question before. I've never really heard that it was much of a problem.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Hon. Mr. Stewart: Mr. Speaker, may I suggest that the bill go to committee, not that I anticipate any problems at all but there is one other matter that I am considering. I don't have a positive answer on it this afternoon and I would like to leave the door open to submit it to committee. If we can proceed with it, then I would like to deal with it at that time.

Mr. Speaker: Committee of the whole House, Mr. Minister?

Hon. Mr. Stewart: Committee of the whole House, yes.

Agreed.

Clerk of the House: The second order, House in committee of the whole.

MINISTRY OF COMMUNITY AND SOCIAL SERVICES ACT

House in committee on Bill 148, An Act to amend the Ministry of Community and Social Services Act.

Mr. Chairman: Would any member like to speak on any section of this bill, and if so, what section?

Mr. E. W. Martel (Sudbury East): Section 5.

Mr. Chairman: Section 5. Does any member want to speak on any section before 5?

The hon. member for Sudbury East on section 5.

Mr. Martel: Mr. Chairman, I just want a clarification.

Mr. Chairman: Oh, just a minute. Maybe the minister wants to make a statement.

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Chairman, with reference to last night, the hon. member for Thunder Bay had suggested an amendment with reference to recreation committees with Indian bands, and I am prepared to make that amendment if the hon. member wishes

J. E. Stokes (Thunder Bay): I thought you had undertaken to do that.

Hon. Mr. Brunelle: Yes, but in order to do so, Mr. Chairman, I believe I'd have to amend the section of the Act, and I am prepared to do so now.

Mr. Chairman: What section would that be in?

Hon. Mr. Brunelle: That would be in section 4, Mr. Chairman.

On section 4:

Hon. Mr. Brunelle: It would be an amendment to clause (c) of section 6b of the Act, that's on page 2 of the bill.

Hon. Mr. Brunelle moves that in subclause (i) in the fifth line, after the word "bands," be added "or the council of one or more municipalities and bands", and that in subsection (vi) be added after "boards" in the third line, "or a board and the council of one or more bands" and by adding after "board" at the end of the seventh line, "or a board and a council of one or more bands, as the case may be."

Hon. Mr. Brunelle: The purpose here, Mr. Chairman, would be to provide as much flexibility as possible where an Indian band or two bands could form a joint agreement on recreational committees with an adjoining school board or a municipality or whatever the case may be. I think it is a very good recommendation and we are pleased to accept it.

Mr. Stokes: Thank you.

Mr. Chairman: The hon. members of the House have heard the minister's proposed amendments to section 4, subsection (i), and also to section (vi). Shall the amendments carry?

Carried.

Section 4, agreed to.

On section 5:

Mr. Chairman: The hon. member for Sudbury East.

Mr. Martel: Just for clarification, Mr. Chairman, in view of the fact that you are adding such items as food, clothing and so on in the Act, does this now mean that people can request a hearing before the board of review when a municipality, in fact, denies them this special assistance?

Hon. Mr. Brunelle: No, Mr. Chairman. This amendment is in section 5, as mentioned here, by inserting after the word "including" in the fourth line the word "items." This would be items such as food, clothing, prosthetic appliances and so forth. It is more or less enlarging the number of items that can be purchased.

Mr. Martel: Let's say the municipality determines they weren't going to provide some prosthetic appliance under special assistance, would the client now be able to appeal that decision, or is it just that these are things that are available?

Hon. Mr. Brunelle: Mr. Chairman, there is no change in that respect. Provision of special assistance or supplementary assistance is at the discretion of the local municipality. However, as I indicated in my remarks last evening on second reading, the board and the directors do make every effort to have the municipality provide whatever assistance is necessary under supplementary or special assistance.

Mr. Martel: It is really too bad that some municipalities wouldn't do it, then. I come back to the point, though. Most municipalities are simply holding out because this ministry refuses to pay its 30 per cent of the tonnage and I think the ministry should. I realize I am a bit off the target here, Mr. Chairman, but I think the ministry has really got to grapple with that problem. It is just outstanding and it's ridiculous.

Hon. Mr. Brunelle: The hon. member has indicated that it's not really part of this section, but I agree with the comments of the hon. member. It's our intention to fund special assistance of a higher amount.

Mr. Chairman: Does section 5 carry?

Section 5 agreed to.

On section 6:

Mr. Martel: Mr. Chairman, I am really upset with section 6. The Swadron report certainly didn't believe that this should occur—that one person should hear the appeal. In fact, on pages 55 and 56, they have some rather uncomplimentary things to say about the board of review. When I see that one person can conduct a hearing, I am somewhat frightened by it. I don't think the claimant gets the best break in any situation which has one person hearing an appeal.

Surely it makes sense, Mr. Minister, if there is difficulty in getting people—two or three members from Toronto, or wherever they are located—to the specific locality where the appeal is going to be heard, surely one might do like either the Province of Manitoba or the Province of Saskatchewan and have some local advisory boards. In fact, from those local advisory boards you could draw one or two people to sit with those who are going to make up the quorum.

Even the Workmen's Compensation Board —and I go before it rather regularly—have two, and in most instances, three people hearing the case to give the client a fair break. And when there's one, I think there's a danger. I really do. I don't think that the client's case gets the consideration it deserves.

That's not casting any aspersions on any of the people who make up the board of review at all. But two people will sit and discuss the case, I am sure, before they arrive at a decision. If there are three it is even better; I think three is ideal, because they can toss the situation back and forth. I think they come up with a fairer decision.

I would like to see you strike that section, Mr. Minister. I realize that it would mean a little work to put in place in various areas across the province the type of apparatus necessary.

Speed, of course, is one of the problems. I'm sure the minister has introduced this because it would prevent a delay in bringing together the appropriate number of people to conduct a hearing. But surely, based on the lines that his ministry has now in its regions—five, I guess it is now—the minister could set up an advisory board to deal not only with this specific problem but an advisory board that could tell the ministry where it's going wrong or where it could improve conditions? We'd been trying to do that in the Sudbury area and got thrown out two weeks ago, as the minister knows.

At the same time they could have an added function. In fact, the minister would only have to send one person from Toronto, let's say, to Sudbury or to Timmins, and he could draw on local people to make up the

rest of the board. In fact, he could do it along ethnic lines. He could do it taking it from the client group itself. There's a whole combination of ways he could devise it and there would only be one person necessary to be sent out from Toronto to any given locality.

In fact, if he had an advisory board, in each section under his ministry across the province, of people other than welfare people, I mean working in the field, then he could draw on them. If he went to the Sudbury area and he happened to need someone who understood Ukrainian – because there are a variety of ethnic groups—one of the people on his advisory board could be of Ukrainian descent and could translate for the person. I just use Ukrainian as an example. It could be Italian, French and so on.

I'm really concerned that we've got ourselves into a box. It's contrary to what's going on at the Workmen's Compensation Board and it's contrary to most boards to have a single person hear a request for a review, because I don't think the client gets the best break. I would ask the minister to change that, even if it means that it will, as I say, take a little while until he gets advisory boards into place across the province. But I think that's a retrograde step. It was recommended, I think in 1971, that we should move in the opposite direction, and now the minister is coming back to square one. Surely it's time we improved the Act? There's no sense bringing this gobbledygook back if we're not going to improve on it. All right, the minister wants to respond.

Hon. Mr. Brunelle: Mr. Chairman, I can appreciate what the hon. member is saying, but I'd like to mention a few matters. One is that there is no change here. We were just transferring what was in the Family Benefits Act to the Ministry of Community and Social Services Act. I agree with the hon. member that often it's preferable that there be more than one member. I haven't got the percentage, but I would say that in more than half, probably two-thirds, of the cases, there are two and sometimes three members.

As I mentioned last night, even though there's only one member—but normally there are two and sometimes there are three—the proceedings of the hearings are dealt with by the entire board every Monday. So there is the expertise—

Mr. Martel: Pardon me?

Hon. Mr. Brunelle: Every Monday. When a hearing is held, say Tuesday in Sudbury, the following Monday the proceedings of that hearing are dealt with by the entire board. There are some very knowledgeable and competent people on that board. They have legal advice and a decision is taken by the entire board. So no unilateral decision is made by just one member.

We feel that by this provision—again this was recommended by Mr. Justice McRuer in this report—provides more flexibility. For those reasons, Mr. Chairman, I would be most reluctant to amend the existing legislation. I am advised that less than three per cent of hearings have only one member; less than three per cent. So the great majority of cases are heard by two or more members. As I mentioned earlier, this section was enacted by the Civil Rights Statute Law Amendment Act.

Mr. Martel: Well, I would say to the minister it is all well and good what McRuer might say, but for a person drawing welfare benefits, a person who has appealed, we have to recognize that this is the end of the road. If he is denied his application, based on a one-man decision, for him there is no tomorrow. That bothers me. Certainly my knowledge of the law isn't Judge McRuer's, but if I were in that position I would feel somewhat more comfortable knowing it was a three-man board I was appearing before rather than a one-man board, even if it be in only three per cent of the cases.

It seems to me that somewhere else in this Act, and I was just trying to locate it, it says someone who didn't sit in on the hearing could not be part of the decision.

Mr. R. S. Smith (Nipissing): He can't be a part of the decision if he wasn't there.

Mr. Martel: Now, what is this nonsense you bring up that they come to Toronto and it is discussed every Monday and a decision is made? The Act says, in fact—

Interjection by an hon. member.

Mr. Martel: Yes.

Hon. Mr. Brunelle: Mr. Chairman, normally the decision is not made when the hearing is held, it is made at a subsequent date. There are some copious notes taken at the hearing and then, as I mentioned, normally every Monday the entire board meets and discusses the entire case. So there is the expertise and the knowledge of the entire board.

Mr. R. S. Smith: Mr. Chairman, on page 5, section 6 states:

> No member of the board of review shall make any decision of the board pursuant to a hearing under this section unless he was present throughout the hearing and heard the evidence and arguments of the parties, and except with the consent of the parties no decision of the board shall be given unless all members so present take part in the decision.

Well, that is the direct opposite to what the minister is saying. He is saying they go out and they bring back these copious notes and then they all sit down and look at them and make a decision.

Mr. Martel: That's what he said.

Mr. R. S. Smith: That's what he said. If they are doing that, they are not doing it in accordance with the Act, and all the decisions that have taken place so far should be thrown out.

Hon. Mr. Brunelle: Mr. Chairman, I certainly don't interpret the Act that way. In section 6:

> No member of the board of review shall make any decision of the board pursuant to a hearing under this section unless he was present throughout the hearing and heard the evidence and arguments of the parties, and except with the consent of the parties no decision of the board shall be given unless all members so present take part in the decision.

So the decision is made by that member. However, he can have all sorts of advice. Sometimes it is a very complicated legal matter and that is why we have a legal solicitor to provide him with that assistance.

Mr. R. S. Smith: At first, though, you said that they discussed these and then they made the decision, which is not really the case.

Hon. Mr. Brunelle: The decision is made by the chairman of the hearing, but that chairman of the hearing can consult other members of the board and the solicitor.

Mr. Martel: That isn't what he said.

Mr. R. S. Smith: That isn't what you said a few minutes ago, but now you have got it right. As long as the minister knows what he is doing we are all satisfied.

I have a couple of other points I would like to make on this section. I agree with the member for Sudbury East there is no way that one person should sit on a hearing, because I have attended some of these hearings on behalf of people and really they are just sad. Some of the members on this board really don't know what the Acts are under which they are making decisions. I was at one board hearing where a member spent the whole hearing leafing through the Act trying to find a part of the Act that would tell him what common law marriage was. Of course, that is not in any Act, as far as I am concerned, and I told him that two or three times, but he spent the rest of the hearing looking for it in the Act anyway—and that fellow was from Cornwall.

But I would like to know who the people are who are on these boards and how many there are.

Hon. Mr. Winkler moves that the committee to rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports progress and asks for leave to sit again.

Report agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I would like consent to move to statements.

Mr. Speaker: Does the House give permission to move to statements?

Motion agreed to.

CSAO NEGOTIATIONS

Hon. Mr. Winkler: Mr. Speaker, in view of the rather critical nature of the negotiations which are currently under way with respect to the operational services category, I am sure the hon. members would want me to keep them informed as to the current status of these negotiations.

The members will recall that in response to the association's request for a 61½ per cent wage increase in a one-year contract, the government tabled an open wage offer which would have provided increases ranging from 18 per cent to 25 per cent over two years. For reasons which are now quite clear the association did not revise its opening position but chose instead to seek a strike mandate on the basis of the government's opening offer. The result of such a vote was, of course, quite predictable. While the decision of the CSAO resulted in a two-week

delay in these crucial negotiations—a delay which, in the view of the government was totally unnecessary—the parties subsequently agreed to meet again on Dec. 2 and 3.

Since it is generally agreed that the initial demand of the CSAO could hardly be termed reasonable, it was expected that some modification of this position would have been made early in the negotiations so that the normal give and take of bargaining could have developed. Unfortunately, Mr. Speaker, the CSAO has elected to depart from what might be termed the normal pattern of negotiations and has repeatedly refused to move off its initial 61.5 per cent position.

In the face of such intransigence, Mr. Speaker, the only course open to the government's negotiators was to place their total mandate on the table with the expectation that the CSAO would live up to its recently stated policy and give the employees in this category an opportunity to vote on this very substantial offer. I have said on many occasions, Mr. Speaker, that the government prefers to do its bargaining at the bargaining table and under normal circumstances we would not release any details at this time. These, however, are not normal circumstances. We are less than four weeks away from a threatened illegal strike and I feel it is my duty, Mr. Speaker, to make the details of the government's position known to the members of this House so that they and the people they were elected to represent may make an informed judgement as to the reasonableness or otherwise of the government's bargaining stance.

While there are obvious advantages to both parties in a two-year agreement, the present state of the economy is such that the government decided it must be prepared to live with a contract over a shorter duration. Therefore, I am pleased to advise the House that the government this morning tabled the following position as a basis of settlement in a one-year agreement, effective Jan. 1, 1975.

Wages: Operational groups 1 and 6, a 15 per cent increase; operational groups 2, 3, 4, 5 and 8, a 17 per cent increase; operational groups 7, 9, 10, 11, 12, 13, 15, 16, 17, 18 and 19, a 20 per cent increase; and operational group 14, an increase of 23 per cent.

Other changes: In addition to direct wage increases, Mr. Speaker, the government has offered the following changes:

A reduction in the number of steps in certain salary ranges which will result in increases ranging from three per cent to 7½ per cent for approximately 600 employees.

Certain industrial safety inspectors will receive additional increases to put them on a par with construction safety officers.

Approximately 200 employees in the Ministry of Correctional Services will benefit from an increase of the custodial allowance from $750 per year to $1,000 per year.

The total package, Mr. Speaker, will cost the taxpayers of this province an additional $32.7 million in 1975.

The CSAO's committee considered our proposal over the lunch period and they indicated they wanted to discuss our position on the weekend with other officials of the CSAO. They have not yet moved off their 61½ per cent demand.

If I may repeat what our negotiators have said at the bargaining table, Mr. Speaker, the government's spokesman saw no alternative but to take his full mandate in an attempt to bring about a settlement, and this he has done. It is the view of the government that the offer is reasonable and responsible in all respects and places the government's rates in a very competitive position vis-à-vis those of other employers in the province.

A breakdown of the number of employees in the various groups shows that approximately 1,000 would receive a 15 per cent increase; some 2,500 would receive a 17 per cent increase; approximately 13,000 would receive a 20 per cent increase; and about 2,200 employees would receive an increase of 23 per cent. In total, approximately 15,000 employees, more than 81 per cent of the total category, would receive increases of 20 per cent or more as of Jan. 1, 1975. As a result of the proposed increases, Mr. Speaker, the average hourly rate for employees in this category will go from the current $4.27 per hour to $5.11 per hour and the average annual salary will increase from $8,900 to more than $10,650.

In order that the members may make their own comparisons to rates paid for similar jobs by other employers in the province, I would like to cite the rates which will result from some of the typical jobs in this category: Steam plant engineer 3 will go from $5.69 per hour to $6.54 per hour; maintenance electrician, from $5.25 per hour to $6.14 per hour; manual worker, from $3.73 per hour to $4.48 per hour; marine engineer 2, from $5.28 per hour to $6.46 per hour; meat inspector 1, from $4.71 per hour to $5.65 per hour; building cleaner and helper, from $3.65 per hour to $4.38 per hour; psychiatric nursing assistant 2, from $409 per hour to $4.91 per hour.

If the leaders of the CSAO have any consideration for the well being of their members and of all the people of this province, we believe they should give the employees an opportunity to vote on the proposed wage increases, rather than to rely on an improper strike mandate based on the government's opening position.

We think, Mr. Speaker, that the employees have the right to expect this opportunity.

Mr. E. W. Martel (Sudbury East): Does the minister call that collective bargaining?

Mr. I. Deans (Wentworth): Why does the minister do this?

Mr. Speaker: In view of the hour, then I recognize the clock—

Mr. Deans: Is it possible to ask a question since a statement has been made?

Mr. Speaker: On a point of clarification?

Mr. Deans: On a point of clarification. Has the CSAO taken the position the government has offered back and are there any subsequent meetings to follow the ones that have just taken place?

Hon. Mr. Winkler: Mr. Speaker, I wish to inform the House that we would consider any offer to go back to the bargaining table.

Mr. Deans: No, that wasn't what I was asking. I am sorry, I didn't word it very carefully. I assume the meetings broke off today some time. Are there any meetings scheduled to take place beyond the meeting that finished today? Second, has the CSAO asked for time to consider the government's offer?

Hon. Mr. Winkler: Mr. Speaker, I must say to you I don't think any other meeting is planned.

It being 6:09 o'clock, p.m., the House took recess.

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Tuesday, December 3, 1974

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8:10 o'clock, p.m.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, before the House commences its evening proceedings I would draw your attention to a number of girl guides in the west gallery from the 277th Girl Guide Company of St. Giles-Kingsway Presbyterian Church in Islington, under the guidance of Mrs. M. Robb. I'd ask you to welcome them.

Clerk of the House: The second order, House in committee of the whole.

MINISTRY OF COMMUNITY AND SOCIAL SERVICES ACT
(concluded)

House in committee on Bill 148, An Act to amend the Ministry of Community and Social Services Act.

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Chairman, before the House rose, the hon. member for Nipissing (Mr. R. S. Smith) asked me a question concerning the composition of the board.

The board is composed of 15 members. The Chairman is Mr. M. Borczak of Toronto, former Deputy Minister of Community and Social Services. There are three vice-chairmen: Miss R. J. Morris, a former commissioner of public welfare for the city of Toronto; Mr. H. J. Price, Toronto, a former member of the Ontario Legislature; and Mr. Robert J. Abbey, a lawyer from St. Catharines.

The other members of the board are Mr. E. Armstrong, a former reeve of Gloucester township and a former member of the council of the regional municipality of Ottawa-Carleton; Mr. James Ballantyne of Toronto; Mrs. A. (Norma) Brown, wife of Rev. Arthur Brown of Toronto, a housewife and mother of three girls; Mr. Leonard Ellins, a retired bank manager from London, Ont.; Mr. Lionel Vaillancourt of Cornwall, a former motel owner and retail store proprietor; Miss D. Parent of Kapuskasing, a former public health nurse; Mrs. Norma Dool of Sault Ste. Marie, very active in community activities; Mr. Desmond Bender, former councillor, city of Ottawa, and former councillor of the regional municipality of Ottawa; Mr. Uno Viegandt, real estate broker in Thunder Bay, former president of the Thunder Bay Children's Aid Society, and also former president of the Ontario Children's Aid Society; Mr. Nino Poli-Cappelli of Toronto, an insurance business person, member of the Toronto-Italian community and related organizations.

And also from the north country, Mr. Adiuto John Pianosi, Copper Cliff, president of Building Co., co-chairman of the Multicultural Centre of Sudbury, member of the board of regents of Laurentian University, member of the board of Sudbury and District Boys' Home, and associated with numerous social and community services—a very dedicated man.

Mr. E. W. Martel (Sudbury East): I know him well; staunch Tory.

Hon. A. Grossman (Provincial Secretary for Resources Development): What is the matter. Does the member for Sudbury East recognize him?

Mr. Martel: He is a staunch Tory. You are covering all the bases over there, Mr. Chairman.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Do you want the job?

Mr. Martel: Mr. Chairman, you know I am really impressed with that group. It certainly is a representative group. Every last one of them is some form of businessman, except the two women, and that is really representative of society. The clients, of course, they get a break on it, too. They have a representative there too, don't they?

Mr. R. D. Kennedy (Peel South): What's wrong with businessmen?

Hon. Mr. Brunelle: Yes, Mr. Chairman, there is a representative who is a recipient of social assistance.

Mr. Martel: Which one is that? The former insurance man or the former bank manager?

Hon. G. A. Kerr (Solicitor General): What's wrong with bank managers? Don't knock them today, in spite of the 13 per cent.

Hon. Mr. Brunelle: It would be best then not to identify him.

Mr. Martel: Oh, I know, Mr. Chairman, through you to the minister, it is really a representative group.

I want to read you what the Swadron report says on the review—

Hon. Mr. Grossman: Swadron is a Tory; you don't want to read that.

Mr. Martel: Oh, well, I'll read what he said; he might be enlightened.

Hon. Mr. Grossman: Pick your own Tory.

Mr. Martel: In the field of welfare there certainly aren't very many enlightened Tories, I'll tell you—as demonstrated by that side of the House in its legislation.

Hon. Mr. Grossman: Only the ones you suggest.

Hon. Mr. Kerr: We are all working.

Mr. Martel: It says:

> Currently, the chairman of the board of review may authorize one member to conduct the hearing and to report to the board. A quorum is three. The new legislative scheme [I don't know what happened to the new legislative scheme] will require a quorum to be present at the hearing.

I wonder what in God's name happened to that legislative scheme to have a quorum—and a quorum being three—that was in the Swadron report in 1972.

Let me go on just for a moment:

> This will, of course, increase the time demands on the members of the board. It is our understanding that even now the board is hard-pressed and on occasion fails to meet its time limit of 40 days. There is no doubt but that the structure of the board of review will have to change, and probably there will have to be regional boards of review.

Now, I don't know why we establish a commission in this province, except to hide the problems under the table or to dispel the fears—and then we don't change anything. I suppose this country has more royal commissions and reviews and investigations and commissions than any other jurisdiction in the world. They all report, and none of the reports is ever followed.

Now, Swadron recognized what most of us here recognize, that there are really some inadequacies. Let me just give you another one, which I'll come to in a moment. Just listen to what he says:

> Few lawyers would have had occasion to deal with these statutes. Even those who might would have to take a considerable amount of time simply to know what the state of the law of governing the board and its procedures is. Without legal training, as matters now stand, the applicant or recipient has little going for him in being able to understand the review process.

That's your commission reporting, Mr. Minister. The minister for policy in the natural resource field says: "It was headed up by a Tory, even." Yes, it was written by a Tory. You can imagine the inflammatory language we would use if we were writing the report on the board of review.

I looked at the statistics for a couple of years, and we certainly don't agree with the statistics. The numbers are the same, but the points of view—You people are proud of the fact there were only 1,700 cases in 1972-1973 and that only 30 per cent of them were won, and so, of course, it means that all of your administrators across the province are being fair. I suggest to you, Mr. Minister, that what in fact is happening is that the client doesn't have a chance going in. He has a raft of businessmen; he has bankers and real estate people and insurance people looking at his or her problem, but they don't know what poverty is. They don't know what it is to be hungry.

Mr. B. Gilbertson (Algoma): Don't be too sure about that.

Mr. Martel: Well, I only quote from the Swadron report that was looking into this.

Mr. Chairman: Order.

Mr. Martel: Well, Mr. Chairman, he aggravates me. He knows not much of what he speaks.

Mr. J. E. Stokes (Thunder Bay): Are you calling the Tory member to order?

Interjection by an hon. member.

Mr. Martel: Oh, yes, they sure did. You had better look at the statistics on education, too, to see where the money is and the educational opportunities are in this province. I suggest to you that if 1,272 out of 1,700 cases in 1972-1973 are denied, part of the

problem isn't—as you people would like it to be—that it was such wise decisions made at the top but that in fact the client doesn't have a chance going in. He doesn't have the expertise. Swadron says that even lawyers who have not read up on the Act and on the Family Benefits Act and so on would have difficulty in understanding it, let alone winning the case, and we sit over there and say: "Well, there's no problem. We can have a commission, you know, with A. J. (Red) Pinosi."

I know him well. You forgot to mention he is president of Unity Bank. I know his list of qualifications. What understanding has he got of the problems? What is his knowledge of the Act and that of most of these people who sit on that board? What is their knowledge of the board of review? What is their knowledge of the Act in its entirety?

The minister has difficulty with the Act, and he works in it every day and has been doing so for the last three years—and you ask why I want a quorum to be three and why I request of you that in this province, if you can't take this elitist group out in groups of three, you in fact establish around the province, as the provinces of Saskatchewan and Manitoba have done, advisory boards. From that you could draw two other people to sit in, and hopefully one of them would be a client all the time who knows something about what it's like to battle before the board of review.

I just think that the minister has to look at that again, based on the Swadron report, which came out after the McRuer report. If that's what he discovered as he and that group of people toured the province two years ago, I don't think it has changed or improved. He recommended and certainly was left with the impression that legislative action would lead to three-man boards hearing each case or each appeal. You fly in the face of the report, Mr. Minister, and its recommendations.

I would ask the minister to stand this section down and take a look at it before we allow it to remain in the statutes in Ontario. Otherwise the clients who appear before the board of review, particularly if there is only one man or one woman hearing it, based on the studies of Swadron, don't have much of a chance of winning their cases before the review commission.

Hon. Mr. Brunelle: Mr. Chairman, I often agree with the comments of the hon. member, but on this occasion I do not agree with his comments. I'd like to say that the board of review is a very efficient board and that the appellants are given every assistance to have as fair and as just a hearing as possible.

He referred to the Swadron report. The provisions he referred to were repealed and now one or more members constitute a quorum, and this is as a result of the McRuer report. As I indicated earlier before dinner, less than three per cent of our hearings are held with one member. In other words, 97 per cent or more have two or three members.

Mr. Chairman, in all fairness, I do think this counteracts the argument that the hon. member brings forth. As I said, in his remarks on the board of review I think that the hon. member is being unjustified in his criticism.

Mr. Martel: Mr. Chairman, be that as it may, I look at the statistics, and I haven't even got a copy of the recent report.

Mr. Stokes: That has never deterred him before.

Mr. Martel: You might tell us how many appeals there were last year. I suggest that the number that's here is rather small. Based on the number of cases I alone handle in this field, it's relatively small. I want to tell you why. I had a woman phone me two weeks ago Monday; she was advised that she had a hearing on Tuesday. She had one day's notice. She phoned to ask if I could represent her but I had a commitment here in Toronto on Tuesday. Her reason for phoning me was to say she couldn't go before that group. She said, "They're too smart. How do I present my case to them?"

Mr. R. Haggerty (Welland South): They have about half a dozen welfare workers there with them.

Mr. Martel: Yes. Have you ever sat in on one of those? I've been before a number of them. I'm not saying the board is unjust or anything like that. They're petrified. My God, the Workmen's Compensation Board has now established in this province that if the worker hasn't got someone to represent him or if he doesn't belong to a trade union or if he doesn't have a member of the Legislature or some group to represent him it will provide a client representative at the hearing, who helps him or her to prepare for the hearing and makes the presentation on behalf of the worker.

If you look at welfare cases, and surely to God you have, the majority of the people are fairly illiterate and middle aged. We're

not talking about an educated group; we're talking about a very unsophisticated and in many instances illiterate group. We're asking them to go before an august body, one member of which used to be a lawyer. I've been at three or four of the hearings.

Hon. Mr. Brunelle: They are held in their homes.

Mr. Martel: They're held in the homes. That doesn't change anything.

Hon. Mr. Brunelle: It makes it more informal. They're at home.

Mr. Martel: Do you think making it more informal does anything for the client who has a grade 5 education? Does he or she feel any more confident because it's in his or her home?

Hon. Mr. Brunelle: They can bring their own counsel. They can bring you if they like.

Mr. Martel: Sure they can bring me. That isn't the point. Why did the Workmen's Compensation Board go to revisions and start to provide for the workers if they didn't have a representative to help them prepare their case?

Swadron says that even the lawyers can't understand the bloody thing, and you want someone with a grade 5 or 6 education to make an appearance before that group and to be able to present his case succinctly, knowing exactly what the laws are in order to make the best case on his own behalf. That's ludicrous; you know it and I know it.

I intend to move a motion on that in a few moments when we get to that particular section, Mr. Minister, but in coming back to this section, I say to you in all kindness that when only 1,700 or 1,800 cases are heard and 70 per cent of them are lost, that is not a very good batting record for the claimants. I suggest to you rather strongly that it is because their case isn't presented in the succinct fashion that is necessary in order to have a reversal of the decision against them.

The rate is atrocious and even if it is only three per cent who go before one-man boards, what is the other percentage? You tell me that in three per cent of the cases there is only one. But in how many cases are there only two? Even the Workmen's Compensation Board again shies away from two, whether it is at the appeal tribunal level or the full board level. They attempt to have three, because there can be an honest difference of opinion and with three the chances of a fair decision are greatly enhanced. The Workmen's Compensation Board, which operates under provincial legislation, recognizes that and has moved away from less than a quorum of three for a hearing, either at the appeal tribunal level or the board level. It seems to me that if we do it in that area, we should be assuring it in the other level.

When we say there are only 1,700 cases or 1,800 cases, we are not talking about a lot of cases, are we, Mr. Minister? We are talking about a relatively small number of cases, based on the number of clients that we have in this province, so one should be assured that there is always a quorum. Certainly that was the recommendation—again I drive the point home—after McRuer and after it was investigated by Swadron; it was after that he made the recommendation. It doesn't come before McRuer, it comes after. That's what he found and that's what he recommended, that there be a quorum of three. He didn't say one or two, or two most of the time and one infrequently; he said three because of what he discovered when he toured the province in the spring of 1971, and he was disturbed by what he saw.

We can pretend that there aren't many cases and in a few instances there is only one and in some instances there are only two. But his first-hand observation of the procedure left him somewhat cold, as his report indicates. You can't bypass it, and you can't hide behind McRuer, when someone who has investigated has seen that the client doesn't have much of a chance of success.

Mr. Chairman: The hon. minister.

Hon. Mr. Brunelle: Mr. Chairman, I would like to make a few brief comments. Again, you know—

Mr. Stokes: Surely you understand that?

Hon. Mr. Brunelle: Oh, I certainly do. I am surprised that the hon. member for Sudbury East doesn't.

Mr. Martel: I understand it. You don't.

Hon. Mr. Brunelle: The hon. member knows the appellant can get legal aid if necessary; he can call on his local member, his clergyman—

Mr. Stokes: With one day's notice?

Hon. Mr. Brunelle: Oh no, they are given more than one day's notice. They are given several days' notice.

Mr. Martel: Several days' notice. Ha!

Hon. Mr. Brunelle: Again, I would like to repeat that less than three per cent have only one member at the hearing. Also the hon. member said—and I think this is the reason he thinks there should be several members—the decision is made by the chairman. But, at the same time, that person who hears the hearing does consult. All the members of the board meet at least once a week and legal counsel is available, as well as all the expertise. That person has all the advice possible, so the decisions are made in full consultation with the board.

Mr. Chairman, there are many areas of our ministry that the hon. member can criticize and that are vulnerable, but when it comes to the board of review, it is not a perfect board, but I would say that it is a very good board; it is one of the best boards in Canada and it does give the appellant every justice possible.

Mr. Martel: And how many that do?

Hon. Mr. Brunelle: The hon. member referred to the number of cases. Just for his own information, the final report for 1973-1974 will be available soon. The total number of hearings was 1,303. Out of that number, the number of appeals that were granted was 443. In percentage, 34 per cent were granted.

Also, Mr. Chairman, the members of the board, the director of family benefits, and so forth, and the social workers do their very utmost to help the appellants. They're there to help the appellants. They're there to provide every assistance possible.

Mr. Martel: I wish they could be informed of that. I don't want to cast any aspersions on any of those board members, but I have sat in on three or four of the hearings and a person without any expertise is lost. When you stand up and tell me that a client gets all the help he needs and that he can go to legal aid, he's never told he can go to legal aid, she is never told she can go to legal aid. Don't give me the gears. I've handled too many cases of welfare to accept that.

Hon. Mr. Brunelle: Mr. Chairman, would the hon. member permit me one comment?

Mr. Martel: Yes, sure.

Hon. Mr. Brunelle: Every recipient of family benefits is given one of these books. Also, most of the local municipalities make them available. On page 27—and this is in the two official languages, French and English—under the heading "How Do You Appeal?" it indicates all their rights, whom they can consult, and so forth. Whenever a decision is made that their allowance is either suspended or reduced, they get an individual notice that they can appeal. So, Mr. Chairman, every effort is made to give the appellants as much information as possible.

Mr. Martel: One must recognize, of course, Mr. Minister, the educational limitations of most people on welfare, and that is what this ministry fails to recognize. They are not a sophisticated group. If you were to ask 90 per cent of your clients if they have that book at home now, they couldn't find it. You know it and I know it. Many of them don't even know there is an appeal procedure. That's possibly no fault of the minister; you send the material out. I'm just saying that it isn't there.

All I'm trying to talk about in this section —I'll come to the next section in a moment; I'm still back on section 6—is the number of people who are necessary to constitute a quorum. You continue to dance around that like a candydancer.

Why do you think Swadron made his recommendation after his journey across the province? Why do you think he recommended it?

Hon. Mr. Brunelle: What about Justice McRuer? You refer to Swadron. What about Justice McRuer? He had a different opinion. Surely, between the two, and I don't know either person, but I would put more trust in Justice McRuer.

Mr. Martel: You might more faith in Chief Justice McRuer and I'm not going to belittle the man. I'm saying that Barry Swadron, after the Act had been in place for three or four years, in fact went across the province to see how it was working. I suppose if he sat down with Chief Justice McRuer and told him what he saw, you might find the chief justice very quick to change his mind. Certainly, Swadron must have seen things that displeased him for him to devote a section of his report to this. It's in pretty strong language, Mr. Minister. He pointed out that a quorum of one was not doing the client any justice, and that was after three or four years in place.

I say to you again, should you not insist that three of the full board members from Toronto come out? Fine, provided that in each of the municipalities there are other people you can draw on whom you might establish as an advisory board as other provinces have done. Frequently on those boards,

for example in Saskatchewan, there are representatives, I understand, from the Metis group. There is a representative on one of them from the Indian community itself, and on some there are a number of recipients as well.

It seems to me that an advisory body in each of the districts into which the province has been divided into would make it easy—if necessary, and all three board members weren't available at any given time—so that you, in fact, could draw from an advisory board. You and I both know that in Sudbury they have been trying to formulate an advisory board for community and social services and health delivery, and it collapsed two weeks ago. I thought it was Napoleon retreating from Moscow who drafted that report. It was so divided it would have taken five years to get all the way through the procedures that were laid down and to get any recommendations that would either get back to Community and Social Services or general welfare. It was one of the reasons that led to the convention that was called rejecting it. In fact, I talked to Dr. Williams ahead of time and suggested to him it was so complicated that its chances of survival or of being of any use were ridiculous.

One also draws a comparison between BC which has elected advisory boards now which have some funding to do, planning and passing on of advice to the ministry. They don't attempt to formulate legislation or anything. It is a contact that I think this ministry is desperately lacking out there. You can make so many uses of an organization like that. I don't want to restrict it just to a board of review situation. You can then make sure that in a board of review situation there are three, based on—and as I said no discredit to McRuer—what Swadron and his committee saw when they travelled the province and were rather upset with.

I am just offering to the minister another way of ensuring that there is a quorum without necessarily having to draw them all from Toronto, if it can possibly be done, because it is a last court of appeal, so to speak, for the client. You handed me the latest report and there are only 1,300 cases. The number of applications continues to go down. That bothers me, not that I want to see a lot of cases, but I have to ask myself why. The minister knows how many cases I handle. Frequently, I write to him on these matters. When I see only 1,300 appeals across the province I wonder how efficient it is and I wonder how well informed the clients are when you have that few, because it continues to drop. In a day and age when people are demanding more services, most of us know that the number of calls we get personally are increasing. Yet, in the board of review they have dropped from almost 1,800 two years ago to just over 1,300.

You might think it is just based on the efficiency of your ministry and I hope that that is the case. At the same time you must wonder, you must have a few anxious moments and ask yourself could it be that people have simply given up on the board of review and are not going that route. There are two possibilities. You can't give credence to the one and say it's the other, because we have such a good board that they are coming. I suspect that the saw-off point is somewhere in the middle of those two points, and it doesn't fall squarely on the one point I have suggested nor squarely on how successful the board of review is. Somewhere in between the two lies the truth.

All I am trying to ensure, as we amend the legislation, is that because it's the last appeal procedure we are as sure as possible that the client is going to get the benefit of the doubt.

Hon. Mr. Brunelle: Mr. Chairman, I believe there are at least two reasons and maybe more as to why there were fewer hearings in the past year. One, I would think, and the hon. member referred to it, is that we have a very efficient staff. Our district directors and our social workers do make every effort to assist the client and to prevent a hearing. Also, as the hon. member knows, there were somewhere over 10,000 permanently unemployable persons transferred from the General Welfare Act to the Family Benefits Act. Many of those cases, as the hon. member knows, are borderline cases. I do believe this was another reason there were fewer appeals. I do believe this present year we could have just as many, if not more, because we now have the guaranteed annual income Act. There have been not too many so far, but there have been a few, and there could be additional cases.

With reference to having at least two if not three members present; as hon. members know some of our members come from various areas, and there could be, for instance due to weather, plane cancellations and so forth; and as I indicated earlier the fact they all meet and collectively assess the case, I do believe that in that way they do

make every effort to give the appellant as good a review of the case as possible.

Mr. Chairman: The hon. member for Welland South.

Mr. Haggerty: Mr. Chairman, the member for Sudbury East has perhaps mentioned some of the things I've run across when I have to appear before the review board. The minister has indicated that under the Family Benefits Act there is a little pamphlet or booklet. I don't know how many social workers carry that pamphlet around with them, but my experience is they don't go out and inform persons under general welfare or under the Family Benefits Act. People are not well informed; they don't inform the people of their rights.

I've found this on a number of occasions. I wouldn't be standing before the House tonight if I didn't come across this particular situation. I can recall a couple of instances where, I can't criticize the review board, but I think the person appealing the case was at a disadvantage, when you find about three from the board of review sitting there, with about two, perhaps in this case it was three, social workers there armed with ammunition. I'll tell you this, the person appealing the case was certainly at a disadvantage until I got into the picture. At times I thought the air was rather blue, because of the attitude some of the social workers had taken towards persons perhaps less fortunate than themselves.

Now I have a particular problem today, and I have been making inquiries of the ministry. It deals particularly with a person who was under the Family Benefits Act. Her son now is working and coming back and paying board, $10 a week. She has another son over the age of 18 who has a disability and has to have continuous care.

I'll tell you what hapepned in this particular case. One of the social workers called up from the regional office in St. Catharines at a quarter to five on a Friday night and said: "You'll be getting a cheque on Monday, but do not cash it because you are not entitled to it. You've been removed from the Family Benefits Act since your youngest son has been working."

That short notice didn't even give her time to go to the general welfare office to receive assistance until the day I made an inquiry into it.

Now they are paying her, I think it is $47 a month, as a single-person mother. They based it on the fact that she is receiving $10 a week from the youngster working, that is $40 a month; and then she should get something from the $218 for board. Yet I thought under the General Welfare Assistance Act they were entitled to earn $80 a month if they were out working.

So I made a further inquiry into it and I'm thinking about assisting her in making an appeal. Then I came to the question of the criteria that is set up by the ministry which said this is classed as income as they say. The other terminology was that "income" and "earnings" are two different things, and they classed the $10 a week board money as earnings. I guess it is in a sense, it is not income.

I thought income was earnings and anything that is accumulated for labour, but apparently in this particular instance she is only going to get $47 a month. You know that won't even pay the municipal taxes.

How do you make an appeal, then, if a decision by your ministry already says she is ineligible just on the interpretation of the words "income" and "earnings". I think this is the wrong approach.

Hopefully I am going to make an effort to appeal it on her behalf. I'll tell you this much, she was never informed she had a right to appeal. I can say this much about many of the persons receiving assistance under the Family Benefits Act or General Welfare, that they are not informed of their rights. I have criticized the minister before about this particular section. The social workers, I believe, are not doing their job.

If they go out and cut a person down by two or three dollars a week, or $10 a month, they figure they are doing an excellent job for the government of Ontario. But they are denying that person what they are entitled to under the Family Benefits Act.

I was going to suggest to the minister that maybe there should be somebody from labour on the board of review; but I would hesitate to suggest that. I found out they can appeal to the Unemployment Insurance Act, where they have representation from labour, and I find them the toughest to deal with.

I say this much: I think your board is doing a good job, but I think the persons under your programme should be told of their rights under the Act. I feel that the social workers, particularly in my area—I can be very critical of them—they are not doing their job in this particular instance.

I can say this much about your regional administrator, Mr. Desiri, I think he is doing

a good job. But, again, perhaps its the staff below him who are not doing their work.

I don't think any member of the Legislature should have to battle for those persons under the General Welfare Assistance or the Family Benefits Act, because I think if the social workers were doing their job we wouldn't have to be making appeals on their behalf. But somebody has to do it.

I think the member is quite right when he says the government, or the staff of your ministry, should be providing assistance on the appeal; the same as with the Workmen's Compensation Board. He brings out a good point. I suggest that is what's missing in your appeal system when a person on welfare has to go before the board.

Section 7c (1) is quite confusing to me. It says:

> Notwithstanding the Statutory Powers Procedure Act, 1971, all hearings of the board of review shall be heard in camera.
>
> (2) Subject to subsection 3, members of the board of review holding a hearing,
>
> (a) shall not have taken part in any investigation or consideration of the subject matter of the hearing prior to the hearing.

Boy, I can tell you this much: Anywhere I have assisted, the board is well prepared and armed with ammunition; because they have a stack of it there. There is very little help or assistance given to a person who is making the appeal. I suggest to the minister that perhaps he should give consideration to the suggestion of the member for Sudbury East that some assistance should be given on behalf of the persons receiving assistance under your programme; because I think they need it—I am sure they do.

Mr. Chairman: Shall section 6 carry?

Carried.

Section 6 agreed to.

Mr. Chairman: Shall the bill be reported?

Mr. Martel: No, Mr. Chairman. Section 7.

Mr. Chairman: Section 7.

Mr. Martel: Yes, and I'd like some guidance from the Chairman.

On section 7:

Hon. Mr. Brunelle: Mr. Chairman, on section 7, if I may: One of the member's colleagues last night, the member for Windsor West (Mr. Bounsall) made a very worthwhile suggestion. It's an amendment to change the wording in this section from "may" to "shall".

If I may at this time, Mr. Chairman, this would read as follows, this would be subsection (7) of section 7(c) on page 5, on the fourth line, it would delete the word "may" and substitute the word "shall." It would then read:

> Where a request for a hearing had been made and the board of review is satisfied that there may be financial hardship to a party or witness attending a hearing, the board shall pay the party or witness travelling and living expenses if necessary to enable his attendance at the hearing of the board.

Hon. Mr. Bernier moves subsection (7) of section 7(c) be amended to delete the word "may" in the fourth line and substitute "shall."

Mr. Chairman: Shall this amendment carry?

Carried.

Mr. Chairman: Shall the bill be reported?

Mr. Martel: Mr. Chairman—

Mr. Chairman: The hon. member for Sudbury East.

Mr. Martel: I want to move an amendment, and I am not sure where exactly one could put it in section 7. Let me move it first and then I won't give it a number for the time being. I would ask the Chair for guidance. I want to move the following: "Where a request for a hearing has been made, the minister will provide a client representative to the client when one is requested." I would suspect it could come in after section 6 or section 5, but I am not sure, Mr. Chairman.

Mr. Chairman: I would think there should be a new section and that we should renumber them.

Mr. Martel: Whatever the Chair wants to do, but Mr. Chairman, I have already indicated substantially my purpose for moving the motion. Under the terms of the Workmen's Compensation Act there are client representatives if that client doesn't have access to an advocate group, a member of Parliament or a trade union; in fact the board will provide, at the man's request or the woman's request, someone to assist them in preparing their case adequately and to assist the board in coming to a decision.

As I have indicated, we know, based on the Senate report on poverty in Canada, the "Real Poverty Report" and all the reports coming out of your own ministry, that the

average educational level of people in receipt of welfare or family benefits is very low.

It seems to me that if this government, under the terms of the Workmen's Compensation Act, allows a client to have a representative appointed by the board to assist him in preparing his case to present to the Workmen's Compensation Board, surely we should be doing that for a group of people who don't have the expertise, the educational ability and so on to prepare their cases adequately.

Again, I refer you to Swadron. He says:

> Without legal training, as the matter now stands, the applicant or recipient has little going for him in being able to understand the review process.

It seems to me that if we really want to make sure that these people have, let's say put their best foot forward in preparing their cases, if they are alone and have no one to represent them, that the minister might designate one of his staff in each of his offices across the province as the person who, on a given occasion, would be the client representative. Such a person would not necessarily have had anything to do with that particular case, but nonetheless he would have the expertise, would know the Act and in fact would be responsible for being the client's representative.

Better still, of course, would be to have possibly five or six of these people in the province in designated areas, strategically located geographically, so that when called upon, they could get to an area in a hurry to assist the clients. It seems to me that it's the least the minister can do to guarantee that these people have as fair a hearing as possible. Therefore, I would ask him to accept this amendment so that, as I said, the clients would have a fair shake in presenting their case.

Hon. Mr. Brunelle: I am not sure if this is necessary. As the hon. member knows, at the present time if an appellant requires legal aid, that is available to that person. If the ministry was to pay for the services of a clergyman or whatever the case may be, we feel that it would sort of destroy a bit of this independence. We think that the present provision making legal aid available really gives the appellant the opportunity to avail himself of special assistance in that area.

Mr. Martel: Surely to God, though, Mr. Minister, that's the last area we want to move into. We don't want to make this, as we hope we haven't made the Workmen's Compensation Board, into an adversary system. Surely if we start drawing in lawyers, the informality that we hope will be retained will not remain. If we start to go to legal aid, these cases are going to become so legalistic that we are going to destroy the whole process.

I've appeared before the Compensation Board a good many many times and because we don't have the adversary system it's not frequently costing the client or the government a pile of money. Surely, that's what we should be aiming at, keeping it very formal and very unstructured so that you don't get hard and fast rules and legal jargon going back and forth, because frequently it isn't decided on legal grounds. I think it's a bit more compassionate than the law would be in that sense.

All I'm saying is you might want to designate one person in your offices, or maybe only set up four or five of them, again on the five geographic regions you have, who would be available if the person doesn't have an advocate group, such as the Welfare Action group in Toronto or a member of the Legislature or some other group representing them.

I think our aim should be to keep it as far away as possible from becoming too legalistic. I can't see the reluctance on the minister's part, particularly in view of the fact that the Workmen's Compensation Board has done it. It's not as though this is something new in the province; it's already in place. In fact the Workmen's Compensation Board is going to expand that service in the future.

My colleague the member for Nickel Belt (Mr. Laughren), my colleague the member for Sudbury (Mr. Germa) and I met with the representatives of the board not more than several weeks ago and they indicated they hoped to expand the service. And here we are refusing to provide the same service for FBA and GWA applicants.

We're talking about 1,300 cases that were appealed last year. It seems to me it wouldn't be a great burden on the ministry and yet would give the client a kind of sense of security that someone was helping him. As I said, with respect to the case I had two weeks ago, I had to spend most of Monday afternoon hustling around trying to get someone whom I knew in the Sudbury area to represent this woman. It ultimately ended up with a friend of mine who's a former social worker and who teaches at Cambrian College in the field of sociology. Although

his timetable was crowded, he assured me he would have someone representing the woman. She was absolutely petrified going before this group by herself. If nothing more than for moral support, this representation is very important to these people. Surely that's the least we can do.

Mr. J. R. Smith (Hamilton Mountain): Nonsense! They are understanding people on the board.

Mr. Chairman: Order, please.

Mr. Martel: Where does that come from? Smitty, is that you?

Mr. J. R. Smith: That's right. I represent people all the time.

Mr. Chairman: Order, please.

Mr. Martel: It's an understanding group. You can give it all the malarkey you want. I might ask the member why the Workmen's Compensation Board is expanding that service in the Province of Ontario.

Mr. Chairman, Order, please. The hon. member will direct his questions to the minister.

Mr. Martel: They're very understanding down at the Workmen's Compensation Board too; yet they are expanding the service. I would ask the minister to accept this and explore the ways it could be implemented.

Hon. Mr. Brunelle: Mr. Chairman, I certainly would be prepared to give consideration to this, though not at this time. I do believe right now we would be prepared, for instance, as we have a lot of staff available, if the appellant wishes, to have one of our staff assist him. We certainly would be prepared to do this. At some time later we'll give consideration to it.

I'm not too familiar with the Workmen's Compensation Board. I've listened to your remarks and the remarks of others, and if it is feasible and desirable, we're certainly prepared to do it.

At this time, if the hon. member would agree, we will consider this in the near future. For the time being our staff, on the request of an appellant, would be available to assist him at a board hearing, that is staff from the local area.

Mr. Martel: Could I ask the minister then if he would send out the instructions to his offices to that effect, that one of the staff be made available to the client, and that the client would be advised until it was studied?

Hon. Mr. Brunelle: Yes.

Mr. Martel: And would the minister send me a copy of that so that I could advise people who come to me that, for example, Mr. Belanger will make someone available to help them prepare their case in the Sudbury area?

Mr. Chairman: Does the hon. member for Sudbury East wish to withdraw his amendment at the present time? Thank you.

Any other comments, questions or amendments to the bill?

Section 7, as amended, agreed to.

Bill 148, as amended, reported.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with amendment, and asks for leave to sit again.

Report agreed to.

Clerk of the House: The 24th order, concurrence in supply for the Ministry of Transportation and Communications.

CONCURRENCE IN SUPPLY, MINISTRY OF TRANSPORTATION AND COMMUNICATIONS

Mr. Speaker: Shall this order be concurred in?

Some hon. members: No.

Mr. Speaker: Those in favour of this order being concurred in will please say "aye."

A point of order?

Mr. M. Cassidy (Ottawa Centre): Yes. I believe we have up to half an hour to debate the concurrence before the vote is taken, is that not correct?

Mr. I. Deans (Wentworth): That is correct.

Mr. Speaker: This was discussed the last time this matter came up. If the members will look at number—

Mr. Deans: Don't do that, you will be in trouble.

Mr. Speaker: —number 87(c) it says: "The proceedings in committee of supply shall be limited to not more than 90 sittings, including the presentation of and debate on the reports provided for in clauses (g) and (h) of this standing order—"

Mr. Deans: Which was this?

Mr. Speaker: Order 87(c). Clauses (g) and (h) include the concurrence matter, so it is very clear that the total time of the 90 sittings includes the concurrence debate. Therefore, there is no time left over for that. That was my ruling before and it still is.

Resolution concurred in.

Clerk of the House: The 23rd order, concurrence in supply for the Ministry of Revenue.

CONCURRENCE IN SUPPLY, MINISTRY OF REVENUE

Resolution concurred in.

Clerk of the House: The 22nd order, concurrence in supply for the Ministry of Labour.

CONCURRENCE IN SUPPLY, MINISTRY OF LABOUR

Resolution concurred in.

Clerk of the House: The 21st order, concurrence in supply for the Ministry of the Environment.

CONCURRENCE IN SUPPLY, MINISTRY OF THE ENVIRONMENT

Resolution concurred in.

Clerk of the House: The 20th order, concurrence in supply for the Office of the Speaker.

CONCURRENCE IN SUPPLY, OFFICE OF THE SPEAKER

Resolution concurred in.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, on the adjournment earlier, the member for Downsview (Mr. Singer) had the floor but he has another obligation to attend upon this evening. With the agreement of the House I hope that he will be able to complete his remarks on another day.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Having discussed the matter with the member for Donwsview, and recognizing the seriousness of his problem this evening, we will agree.

Mr. Speaker: The matter is agreed to, that the member for Downsview will be able to complete his remarks at a later date.

Is the member for Wentworth making his remarks now? Yes, the member for Wentworth, then.

Mr. I. Deans (Wentworth): I wish my guys would get together. Come on. This is getting a bit much.

Mr. Breithaupt: The member should savour it while he can.

Mr. M. Cassidy (Ottawa Centre): That will wake them up on that side.

Mr. Deans: Mr. Speaker, no matter how hard you try you can't get them in line, it just doesn't matter.

I hadn't anticipated making a speech tonight, but since the occasion arises and since something aggravates me so, I think I will talk about it. I wish the House leader would stay a while because I want to talk to him.

Mr. C. E. McIlveen (Oshawa): Yes, well the member can use his nothing speech tonight.

Mr. Deans: Yes. No, I think I will use the member for Oshawa's nothing speech for a change. That's the one he has given three times since he came in.

Mr. W. Ferrier (Cochrane South): Has he given that many?

Mr. Deans: I want to talk for a few minutes — perhaps until about next Tuesday — about a number of topics that have been aggravating me for a long time. I would have started out tonight talking about what I choose to call the Davis years. I think I will leave that for maybe tomorrow or the day after, because I have a few things I want to talk about that may, in fact, be just a little more important than a discussion of the

Davis years. Of course, the members know what I am going to talk about in my discussion of the Davis years, don't they?

Mr. Ferrier: They are coming to an end.

Mr. Deans: I am going to talk about the energy tax and the Fidinam matter and the cabinet ministers' land deals and regional government and the WCB inquiry and so on.

An hon. member: The member ought to be thankful for it.

Mr. Deans: But I want to talk first of all about the government's attitude toward collective bargaining. I was prompted to make this presentation—you might call it that—by the remarks of the Chairman of the Management Board when he spoke tonight at 6 or thereabouts.

We've heard a lot in this House in recent years about the collective bargaining system and how the government believes in it and thinks that it can work well. In spite of its intrusions into the collective bargaining system time after time after time, it still thinks that with just a little help it might work fairly well.

In recent weeks we've seen the government in action with the civil service. Now far be it from me to defend the civil service. They can defend themselves quite adequately, and defend themselves they will, I have no doubt.

I want to talk about something that really has caused me a considerable amount of consternation and aggravation. Not a week ago the Chairman of the Management Board spoke in glowing terms of how he was going to have a news blackout. We weren't going to have any news statements from either side about the state of collective bargaining—

Hon. Mr. Winkler: On a point of order, Mr. Speaker—

Mr. Deans: Is the minister on his feet already? Would he make up his mind whether he's here or away?

Hon. Mr. Winkler: Let's have these two issues very clear.

Mr. Speaker: Order.

Mr. Deans: I don't need to have anything very clear.

Mr. Speaker: Order, please.

Hon. Mr. Winkler: The monetary issue and the Crown employees issue are two different things.

Mr. Deans: What is this man on his feet for?

Mr. Speaker: Order, please. The hon. House leader has a correction to make. It's not a point of order, I believe.

Hon. Mr. Winkler: The correction is, let the hon. member not mix up the two issues.

Mr. Speaker: The member for Wentworth.

Mr. Deans: I would like to make it clear to you, Mr. Speaker, that there is no mixup in the two issues. The issues are one and the same.

Hon. Mr. Winkler: Well, that is interesting.

Mr. Deans: The issue that has brought us to the brink of a strike in Ontario is the government's adamant refusal to permit reasonable, sensible collective bargaining to take place in the public sector.

Mr. Ferrier: Right on.

Mr. Deans: If the government had moved at any point in the last six months to correct the inadequacies of the Crown Employees Collective Bargaining Act, we would likely not be faced with the problems we're faced with today.

Mr. F. Laughren (Nickel Belt): It's a real problem.

Mr. Deans: That's where the difficulty lies. The difficulty is not so much whether what they've asked for is too much or whether what they have been offered by the government is too little; it's that the government allowed an Act to remain on the books that deprived residents of the Province of Ontario of an opportunity to have any kind of say in the way in which their place of work was going to operate.

They weren't permitted to talk about the very things which most aggravate people in their day-to-day employment. There was no opportunity, as a result of the Crown Employees Collective Bargaining Act, for employees to bring before the government, as their employer, their grievances with regard to the way in which they were being treated as employees of the Crown.

It's the attitude that has caused the problem and not the demands. The demands themselves may well be, in the opinion of the Management Board—

Hon. Mr. Winkler: If that is the case, why wasn't there a willingness to talk about the main issues?

Mr. Deans: We're coming to the minister, just hang on.

Hon. Mr. Winkler: That's fine.

Mr. Deans: The problem has been in the attitude of the government towards its employees, not in what it offered but in its unwillingness to even discuss, prior to not so many days ago, with its employees the need to correct the Act under which they are employed.

If you can recall, Mr. Speaker, and I know you can, the discussions that we had at the time that the Crown Employees Collective Bargaining Act was brought in, you will recall that I discussed with the then Treasurer and Chairman of Management Board of Cabinet, the Hon. Charles MacNaughton, who has departed from the House—

Mr. Breithaupt: That sounds so final.

Mr. Deans: It is final.

—what the problems were going to be in regard to collective bargaining between the government and its employees. We pointed out to him the management rights clause and we said to the government at that time that that clause was so restrictive, so archaic, so neanderthal that it would create problems; that it would render useless any negotiation process; that it didn't begin to address itself to the normal, modern workplace problems; and that it didn't afford employees an opportunity to express to management, their employers, the things which they felt they might be able to correct in order to create a more harmonious relationship.

I remember saying that, in fact I have almost said it word for word in the way I said it some years ago to the minister then in charge. I suggested to him that what he was bringing in wasn't going to fill the bill; it wasn't going to be satisfactory.

I even predicted that at some point in the future there would be considerable unrest within the civil service, once they got to understand what the conditions of the Crown Employees Bargaining Act really meant to them; and how those terms contained within the section dealing with management's rights could be applied, and what they really meant in terms of day-to-day operations within the various ministries and departments that they were then employed in.

Well, it has come to pass.

Mr. J. E. Bullbrook (Sarnia): Election issues.

Mr. Deans: It has come to pass.

Mr. Bullbrook: That is what has come to pass.

Mr. Deans: Well, we are coming to that too.

Mr. Bullbrook: The member might be coming to it; but that's what it is: an election issue.

Mr. Deans: What has happened is that Crown employees, over the course of two or three years, have found that they are unable to deal reasonably with the government about other than monetary matters; and we will talk about the monetary matters in a moment.

They have difficulty finding someone to talk to; someone who would listen to them. They didn't have to be listened to, because the law forbade them to talk about the things that really mattered where they were employed.

We suggested then, and we suggest now, that in order for collective bargaining to work reasonably and well, that there has to be an opportunity afforded to both sides to raise all matters pertaining to employment; that there has to be a chance to talk about them. There is nothing wrong with saying: "There is a problem that is developing; we have some feeling for a way of resolving it; and we should sit down together and talk about it." But the government rejected that.

Well we went through two or three years in which there were feelings developing within the CSAO, within the civil service in general; and it has resulted in them taking a very hard-line position.

And then we come to where we are; where we are today in December of 1974. Not so many weeks ago, negotiations began. The CSAO put forward its position; and the government put forward its position; they were poles apart.

At that point it was evident to me that some very serious and tough negotiation was going to have to take place. And as the minister well knows, I was pleased when I spoke with the minister privately and said to him that I was glad they had finally gotten over that whole episode of bargaining in the press, and were finally going to get down to talking across the table to each other. I think the minister will agree I said that to him in the hall.

And I thought, I frankly thought—

Hon. Mr. Winkler: Let me make that one point clear. I think the hon. member said he was completely satisfied with the fact that

we had a news blackout on our negotiations regarding the Crown Employees Collective Bargaining Act—right?

Mr. Deans: Oh no; oh no.

Hon. Mr. Winkler: Yes?

Mr. Deans: I was saying to the minister I was delighted they had finally gotten to the point of talking across the table with each other and weren't going to carry on this battle in public. I was talking about all of the matters pertaining to the differences between the Crown, at this stage, and the Civil Service Association.

Hon. Mr. Winkler: I wonder if the hon. member would like to tell me where the public battle started?

Mr. Deans: I am going to come to the public battle.

In any event, I think there is a lesson to be learned from what has happened in this dispute. I think first of all that the minister might well have advised his friends, Mr. Robarts, Mr. Colin Brown and all of the others who are associated with this so-called Citizens' Coalition, that the government of Ontario is capable of dealing for itself; that it doesn't require some high-priced help from them, that it doesn't require them to speak up.

Would the minister sit down; he will get a chance.

Mr. Bullbrook: My God, he is leaving.

Mr. Deans: He was almost, almost.

Interjections by hon. members.

Mr. Deans: That's right, that's right.

Hon. Mr. Winkler: I just wanted to say we don't have Dunsky Advertising on our side.

Interjections by hon. members.

Mr. Deans: No. And the more I—

Mr. Chairman: The hon. member for Wentworth has the floor.

Mr. Deans: That's okay, that's all right. I don't mind the interjections from the member for Sarnia, he interjects regularly.

Hon. Mr. Winkler: Oh, I know, I know. They're both polarized—

Mr. Deans: Well, talking about polarizing, we'll talk about that in a moment too.

An hon. member: The member is an expert on that, is he?

Mr. Deans: I don't think the government required John Robarts and Colin Brown and the others who gather around the government in its moment of need, to advertise on its behalf. I don't think the government required that an outside group of highly paid—

Hon. Mr. Winkler: And we don't.

Mr. Deans: —highly paid, influential, affluent people in society to tell the remainder of society a lot of nonsense.

Hon. G. A. Kerr (Solicitor General): Nor from Montreal or anywhere else.

Hon. Mr. Winkler: And we don't.

Mr. Deans: I don't think the minister should act as the director of research for the Citizens' Coalition. I don't think it's necessary they be fed information from him or from anyone else in government.

Hon. Mr. Winkler: The information I gave out is public information.

Mr. Deans: Yes, public information. I'm sure it is public information.

An hon. member: What does he mean, public information?

Mr. Deans: I don't think they need the minister's help to come up with the kind of full-page ads—and the minister and I both know what a full-page ad in the Globe and Mail costs.

Hon. Mr. Winkler: I have no idea.

Mr. Deans: No, he has no idea.

Hon. Mr. Winkler: I just know the CSAO ran some too.

Mr. Deans: Well I can tell the minister this, that if he requires John Robarts and Colin Brown to get him out of this one—

Hon. Mr. Winkler: And I don't.

Mr. Deans: —then he is in very serious trouble. Let's take a look at what he is trying to do. It's an old game in negotiations. It's called trying to separate the leadership from the membership.

Mr. Laughren: That's right.

Mr. Deans: You've seen it happen, Mr. Speaker. The member for Sarnia has been involved in negotiation and he knows that is what is happening here; the government is

attempting to separate the rank and file from its leadership. And that's what is evident in the statement the Chairman of the Management Board made tonight.

Hon. J. W. Snow (Minister of Government Services): Does the member for Sarnia go along with this?

Mr. Deans: He doesn't have any say in what I say, luckily. Let me read to the minister from his own page 5. This is where the whole matter should have rested.

Interjections by hon. members.

Mr. Speaker: Order, please. The member for Wentworth has the floor.

Mr. Deans: The minister said: "The CSAO's committee considered our proposal over the lunch period and they indicated they wanted to discuss our position on the weekend with other officials of the CSAO."

That's an eminently reasonable proposal. The minister had made an offer. They said: "We need time to consider it." But instead of allowing them to go back to their membership and to put before their membership what his offer was, the minister then preempted them by standing up as the employer and attempting to sell it to the membership without the benefit of the leadership having had an opportunity to discuss whether what he had done was in their best interests.

That's the same as the Tory back-benchers getting together and going to the CSAO and saying: "Look guys, we are prepared to give you more. Don't worry about Eric Winkler and what he says." That's the position the minister put them in. He had no business going to the membership of that association, within hours of their leadership having assured him they would talk about it over the weekend with their middle leadership, in an attempt to find out what their views were. The minister had no business in making public his offer until such time as they came back and told him whether or not they were prepared to discuss it further with him.

Mr. Laughren: Some labour relations.

Mr. Deans: And that's where the Chairman of the Management Board falls down. It's not that he means any harm, I suspect, although the member for Sarnia may think otherwise. I once thought—maybe I still think—that the whole racket is to try and create a strike in the Province of Ontario so that the minister can force them back to work; in order that he can stand up and ask the people who is going to govern.

Mr. Bullbrook: That's exactly what it is, and the member is naïve not to think it is otherwise.

Mr. Deans: I said that a month ago.

Mr. Bullbrook: It is exactly their motivation throughout. Don't let the member kid himself. They want to make it an election issue because they are dead otherwise.

Mr. Deans: The problem that the minister has is—

Hon. Mr. Winkler: They are both wrong.

Mr. Deans: We are not both wrong, Mr. Speaker.

Hon. Mr. Winkler: They are both wrong.

Mr. Deans: We are not both wrong. It is evident—and the member for Sarnia and I will agree on this I'm sure—

Hon. Mr. Winkler: Somebody has to be responsible to the citizens of Ontario and that's an imaginary issue. The member's leader—

Mr. Deans: —that from the start—

Mr. Bullbrook: That's the type of tripe that the minister is going to put forward—

Interjections by hon. members.

Mr. Speaker: Order, please. The member for Wentworth has the floor.

Mr. Deans: It's okay. I've got lots of time.

Mr. Ferrier: Does the Chairman of the Management Board have his snow tires on for his election campaign?

Mr. Deans: From the time the minister started negotiating it was evident, to me at least, that he had no intention of settling. The fact that he enlisted the help of the Citizens' Coalition to try and put his position to the public without having to put his name to it was, to say the least, despicable. For him then to say, within hours of having made an offer, without giving the other side the opportunity to discuss it reasonably with the people to whom they were responsible, that he would go to the press and go to the public and attempt to separate the leadership from the rank and file was unconcionable.

Hon. Mr. Winkler: I came to the Legislature.

Mr. Deans: This is a public forum. He might as well have said it on television.

Hon. Mr. Winkler: The Legislature has a right to know.

Mr. Deans: The Legislature has a right to know what the position of the government is if it has not been accepted. But until such time as that had been relayed by the leadership to the rank and file, this government should not have used this Legislature as a political vehicle to try and convince the public they were doing the right thing.

Hon. Mr. Kerr: Oh nonsense. Why doesn't the member get the facts?

Mr. Deans: If on Monday next there had been a statement from the CSAO to the minister, privately or publicly, that they had not accepted his offer, it would then have been reasonable for him to have stood up and said what the offer was. That would have been reasonable. But for him to go before the membership without giving their leadership an opportunity to talk to them is not acceptable to most of us who know anything about collective bargaining. And that's where he failed.

Mr. Bullbrook: There was no need for it.

Mr. Deans: That's right, there was no need for it. It's all part of the game that I was coming to; it's all part of the game the government plays.

Mr. Bullbrook: There was no need for it at all.

Mr. Deans: The government has taken a position that it is going to create in its own favour a confrontation between itself and its employees, and the minister is the pawn; and if he is not the pawn he is the mastermind—and I don't think he has got, I wouldn't give him credit for that.

Mr. Bullbrook: That's it. He is not the pawn at all; he is the mastermind.

Hon. Mr. Winkler: The taxpayer is the pawn in this deal.

Mr. Bullbrook: There is an election coming, if I ever saw one, on that issue right there.

Mr. Deans: That could be.

The taxpayer of the province has the right to know, but the taxpayer of the province expects that the government will deal with its employees both reasonably and in the customary way. I am telling the minister now that what he has done today has set back negotiations with the CSAO beyond anything that has been done up to this point, and that if a problem develops between now and the time they have set as a deadline it's on his shoulders that the blame must fall, because they said to him that they were prepared to take his offer back and discuss it with their membership, and he didn't give them a chance. That is not collective bargaining, and that's not bargaining in good faith.

And that's where the minister fails. That's where he fails in every single aspect of collective bargaining; it's where he fails in his dealings with other people in the Legislature; and it's where he fails in his dealings with the public at large: He doesn't know the meaning of good faith. I think the only hope the government has of resolving this—and I put it on his shoulders personally—is to remove him as the chief government negotiator.

Mr. Laughren: He should step down voluntarily.

Mr. Deans: The fact of the matter is that any number of other people, both in the back benches and the cabinet, would show considerably more sensitivity to the issue and would at least be prepared—

Mr. R. S. Smith (Nipissing): I don't know where they dug up that six they sent over there.

Hon. Mr. Winkler: What did the member say?

Mr. R. S. Smith: Where did the government dig up that six that it sent over to negotiate?

Mr. Speaker: Order, please. Will the member for Wentworth continue?

Mr. Deans: It's okay, I've got to breathe.

Mr. R. S. Smith: Weren't there five with the minister?

An hon. member: Those were the bodyguards.

Mr. R. S. Smith: Were there not five other cabinet ministers?

Hon. Mr. Winkler: Probably.

Mr. Deans: Yes.

Mr. T. P. Reid (Rainy River): The weakest ones in the government.

Mr. Deans: Anyway, let it be said by me to the minister that without trying to even decide what would be a fair offer, I want

him to know one thing—that by his actions he has taken a great step toward destroying whatever could have been considered as bargaining in good faith. I suggest to the minister that if there is no settlement—

Mr. Laughren: Don't buy it, Eric.

Mr. Deans: —in the next two or three weeks he can claim all of the credit for himself in having created this confrontation.

Mr. Laughren: Don't buy it, Eric.

Mr. Deans: He might, in fact, have passed up the only opportunity to sit down and reach a reasonable settlement. I know that if I were a member of the CSAO and I got the kind of treatment that they have just received from the minister, I wouldn't be prepared to take it sitting down. The reason we have collective bargaining in this country, the reason we need it in this country, is to do away with the kind of thing that he just attempted to do.

Mr. Laughren: That's exactly right.

Mr. Deans: I remember reading a book called "Lockout." I don't know how many members have read it. It was about that great philanthropist, Andrew Carnegie, whose libraries can be found all around the world; Scottish by descent, I feel ashamed to say—

An hon. member: A real rogue, eh?

Mr. Deans: —but he bargained just like the minister did. He attempted to discredit the leadership of the organization. He did everything in his power to ensure that the membership separated itself from its leadership, and he found, much to his horror, that he created a hornet's nest that he couldn't deal with, because collective bargaining in itself is a worthwhile way of dealing with people. We can't deal with them one by one, and if the minister had to deal with them one by one, the one-to-one relationship would soon deteriorate.

In any event, I suppose what I am saying, in a nutshell, is this, that I find the minister's statement today at 6 o'clock to be as destructive a statement as I have heard made in this House, and in spite of the fact that he carries on a conversation while I am trying to tell him something, I suppose I should overlook it. It's the normal practice.

Mr. Laughren: If the member for Fort William is selling, don't buy it.

Mr. Deans: That's exactly how he deals with the CSAO; in exactly the same way. But I tell him that there was no need for what he did. It has destroyed a sense that maybe a settlement could be reached; that what he has provided in his offer may well have been the basis for some further discussion; that the rank and file of the union should have had the opportunity to hear from their own leaders before they heard from the minister. That's elementary collective bargaining. What he did today was wrong and I hope he will never do it again, because he can't possibly succeed in creating any kind of good faith bargaining if he is going to do that sort of thing in the Province of Ontario.

Mr. F. Young (Yorkview): He doesn't want to.

Mr. Deans: My colleague says the minister doesn't want to. Does the minister know something? I think my colleague is right. I think he's right. I think the minister is trying to create an election issue.

Hon. Mr. Winkler: That is wrong.

Mr. Deans: That's fine. The minister says it's wrong and I don't have any—

Interjection by an hon. member.

Mr. Deans: —way of disputing it with him, except to think that as I watched the way he has conducted—

Mr. J. E. Stokes (Thunder Bay): What did the minister hope to achieve?

Mr. Deans: —himself in this collective bargaining—

Mr. Stokes: What did he hope to achieve?

Mr. Deans: —and with this latest Act—

Mr. Reid: Change the Act.

Mr. Deans: —I have got to think that his intention was to attempt to delay and to thwart any reasonable opportunity for settlement.

Mr. J. H. Jessiman (Fort William): He has the respect of the House.

Hon. Mr. Winkler: The member tells me it was our intention to delay?

Mr. Deans: That's right.

Hon. Mr. Winkler: He doesn't understand the whole question. That's what is the matter with him.

Mr. Deans: That may be.

Hon. Mr. Winkler: That's right.

Mr. Deans: That may be. I suspect that I understand the question as well as the minister does.

Mr. Cassidy: Coming from the minister, that is incredible.

Hon. Mr. Winkler: The member will get other opportunities to see about that.

Mr. Deans: Yes, and I suspect that what the minister has done has destroyed whatever semblance of reason that existed between the civil service and the government. Nevertheless, I tell him right now that he is going to be faced with very severe difficulties in the next few weeks and he has brought them on the government. In fact, he probably should be in a position to resign fairly shortly, because he obviously isn't capable of doing the job.

Hon. Mr. Winkler: Who, me resign? No hope, if that's what the member is thinking; no hope.

Mr. M. C. Germa (Sudbury): Why doesn't he quit while he is ahead? It would be a good idea.

Interjections by hon. members.

Mr. Germa: Why doesn't he do the Tories a favour and resign?

Mr. Deans: In any event, I want to say this one final word about collective bargaining: There isn't any doubt in my mind that the government is totally opposed to the whole collective bargaining process.

Mr. Laughren: He can't afford it; he doesn't deal in land.

Hon. Mr. Winkler: Have it on the record and say that's wrong.

Mr. Deans: Yes, well the minister can say it's wrong, but we judge a man by his actions, not by his words.

Mr. Cassidy: The member is right.

Mr. Deans: We can only judge by his actions. The minister saw what happened to Karl Mallette. The minister should learn a lesson from what happened to Karl Mallette.

Hon. Mr. Winkler: The member doesn't worry about that?

Mr. Deans: No, the minister doesn't worry. Does he know what's wrong?

Hon. Mr. Winkler: I said the member doesn't worry about it.

Mr. Deans: I don't? Oh, I do worry. I worry. Can't the minister tell from looking at me. I am worried?

Hon. Mr. Winkler: That's an absolute joke.

Mr. Deans: All I am telling him is that he is following along in the very steps of Karl Mallette—

Mr. Jessiman: Even his own hairdresser wouldn't tell him!

Mr. Deans: —and the minister will go the same way. I haven't sold any land recently.

Mr. Jessiman: Go back to your checker game, you fireman.

Mr. Deans: That's what the member's colleague from Wentworth said the day I defeated him.

Mr. Jessiman: With great respect to the pot-bellied, short-sleeved firemen of the province.

Mr. Laughren: Oh, you can't dig yourself out now, Jessiman.

Mr. Deans: You're too late. Why don't you go back, sell some land and make a few more dollars?

Mr. Laughren: Rip somebody else off.

Mr. Jessiman: Why don't you go get your hair done?

Mr. Deans: I'm going to talk about you later. You come under cabinet ministers and other government lackeys who sell land at a profit. You come under that. You're in the fifth category down.

Mr. Speaker: Order, please. All remarks through the Chair.

Mr. Deans: I'll get to the member for Fort William later.

Mr. Jessiman: I'll be glad to hear you.

Mr. Laughren: You'll be gone.

Mr. Germa: He's not the solution; he's the problem.

Mr. Deans: He is indeed. Well, let's talk about land costs now, because I think it's appropriate since he is here.

Mr. Laughren: Yes, good idea.

Mr. Deans: I have long felt that the government had no real understanding of what the housing problem was—I'm finished with that fellow; he can go home now.

Mr. Germa: He didn't add much anyway.

Mr. Deans: I have long felt that the government didn't understand what the problem was in housing. And, you know, the more I look at him, the more I realize that he's part of the problem.

Mr. Germa: He is the problem.

Mr. Deans: When you can take land—not you necessarily, but when people can take land and they can sell it to the government for twice what they paid for it—

Mr. Jessiman: On a point of personal privilege, Mr. Speaker—

Mr. Deans: I didn't say he did that.

Mr. Jessiman: On a point of privilege, Mr. Speaker—

Mr. Speaker: What is your point of privilege?

Mr. Jessiman: I never at any time ever sold land to the government, and I'd like this member from Wentworth, or wherever he's from, to know that—

Mr. Stokes: He never said you did.

Mr. Deans: I didn't say he did.

Mr. Jessiman: That big mouth.

Mr. Young: His conscience is bothering him now.

Mr. Stokes: He didn't say you did.

Mr. Cassidy: You had a good try, didn't you?

Mr. Speaker: Order, please.

Mr. Stokes: You needn't have reacted in that way at all.

Mr. Speaker: Order, please. I did not hear such a remark. I would suggest the hon. member address his remarks through the Chair.

Mr. Jessiman: Send him back to the fire hall.

Mr. Deans: What I said was this, Mr. Speaker—

Mr. Speaker: I heard what you said.

Mr. Deans: When you can sell land, and I don't mean you necessarily, to the government for twice what it's worth within one week of having acquired it, then there's something drastically wrong with the government land purchasing arrangements.

You know, Mr. Speaker, that in 1967, right after I was elected I raised in the Legislature a problem with the Saltfleet area. The problem that I raised was that there seemed to have been some rather unusual goings-on in Saltfleet with regard to land purchased by the government of Ontario.

I was a little perplexed at what I was hearing, and I asked the then minister, Stanley Randall, since departed from the Legislature, what was happening. I said to him: "Stan, tell me about the land deal on Saltfleet Mountain, will you?" So he said to me, "Ian, look, I can't tell you right now but I'll tell you later."

Well, I waited, and I asked him again in the Legislature: "Tell me, Stan, how much did the government pay for the land on Saltfleet Mountain?" "Well," he said, "I can't tell you yet but I'll tell you after." Well, I waited some more; through 1967, 1968, 1969 and 1970 I waited.

Mr. Stokes: Then you called him Stanley.

Mr. Deans: Stanley left. I saw Stanley one day; he's not in land any more. Then we got around to talking about Saltfleet Mountain the other day and we suddenly discovered what had happened.

Let me tell you what happened, Mr. Speaker, I know you'll be interested because you've got a real feeling for land, as I recall from our discussions in the select committee. Do you know, Mr. Speaker—and you could listen to this; you might learn something about how to sell your land to the government. Do you know that that land was assembled by Kronas Realty? It was assembled in the months of January and February, and on into April, 1967. Kronas came to the government and they asked the government if they'd like to buy it. But Kronas is a Liberal. They didn't want to buy the land; there wasn't enough of it. Kronas then sold it to somebody called Jon-Enco. You remember me talking about him in 1968, eh? Well, he sold it to Jon-Enco and Jon-Enco then continued to assemble land. He sold it in May.

Mr. M. Gaunt (Huron-Bruce): Is Jon-Enco a Tory?

Mr. Deans: Letters from the mayor of Hamilton, Victor Kennedy Copps, and from the reeve of Saltfleet, Les Thomas, appear in the files of the Ontario Housing Corp. urging that the government buy the land because the municipalities are prepared to help in servicing.

Jon-Enco continues with his assembling. He takes options. He doesn't spend a lot of money, mark you. He doesn't lay out a lot. He just takes options on the land. Right up through until the first week in December, 1967, he takes options. A funny thing happened in the second week of October, 1967, while Jon-Enco was still taking options. The government of Ontario announces it has acquired 1,500 acres in Saltfleet Mountain for Ontario Housing Corp. development. Do you know, Mr. Speaker, that purchase was never approved until the second week of December, 1967? Do you know what was going on in the first and second weeks of October, 1967? We were in the midst of a provincial election. The government made the statement because they were trying to save a seat. They had made a commitment to Jon-Enco to buy the land, even although it had never been approved and even although the Ontario Housing Corp. didn't deal with it at its board until the second week of December of that same year.

Do you know what Jon-Enco paid for the land, Mr. Speaker? The total price, right up to the very last parcel in the first week of December, was $3.3 million. Do you know what the government paid them in the second week of December? It was $6 million.

Mr. E. R. Good (Waterloo North): That was brought to light by the member for Grey-Bruce (Mr. Sargent).

Mr. Deans: No, I did that long before he even talked about it. It was $6 million or $4,000 an acre for that land that had cost $3.3 million. When I speak to the people in Hamilton, and particularly those who are going to move on to that land and buy a house, I don't know how to tell them that those $20,000 building lots are really only worth $10,000. If this government had looked after the interests of the people rather than the interests of the land speculators those houses would have been available to them today for $10,000 less, including carrying charges and servicing costs, than they are going to be available to them in the year 1974 as a result of the government's action or inaction, depending on how you look at it, in 1967, Mr. Speaker.

I listened to the Minister of Housing (Mr. Irvine) telling me aren't we lucky they bought the land. Yes, we are lucky they bought the land, but we would have been a damn sight luckier if they had bought it for what it was worth. We would have been a lot better off. I can remember when I raised the matter with Stanley Randall, since departed. I can remember talking to him and saying to him, "Stan, why don't you use the land that you have?" You have about 700 or 800 acres on Hamilton Mountain and about 1,500 acres in Saltfleet. Why don't you use that land as a lever against the increasing land prices? Why don't you use it to try to lever the prices down?

Do you know what Stanley told me, Mr. Speaker? I will let you answer if you want. Do you know what he told me? The Speaker shakes his head to indicate no, he doesn't know. He said to me, "We are not in the business of competing with the private developer." In other words, the cost of the land and the cost at which it was to be sold to the public was to be a cost predetermined by the land speculators in the land that they owned privately.

This government is speculating in land. This government has played an active role in forcing the price of housing up in the Province of Ontario. This government by its actions has raised the cost of the housing in the area that I represent by at least $10,000 per unit. This government could have received the land in May of the same year and continued to assemble it for a total price of $3.3 million or less, because no one is to think that Kronas didn't get a profit out of it either. Had they taken what was offered to them in May, they could have saved the taxpayers $2.7 million and they could have made those homes available on an average for $10,000 less per building lot.

Mr. Stokes: What was the member from that area doing?

Mr. Deans: When I make the charge that the government is speculating in land, that the government is, in fact, using its position to force the cost of housing beyond the reach of the average individual in Ontario, I do it on that basis. That is only one isolated incident.

This is where we now come to what's been raised by members of the official opposition. If that had been one isolated incident I would have said: "Well, okay, these things happen. Maybe it was a mistake. Maybe somebody appraised it wrongly. Maybe there had been an error made by the Ontario Housing Corp."

But what we now find out from things that have come out in the last few weeks is that this is the practice of the Ontario government. Its practice isn't to try to assemble land in order that it can provide housing at a cost that the people can afford. Its practice is to tax the people of Ontario to put into the pocket of the developers of Ontario the additional money they need to support the Tory party. That's where the problem really lies.

I hope the minister has been listening to this, since I notice a new Speaker. I wouldn't want to have to go over it. You can pick up the thread of the debate without me having to go back to the beginning, can you, Mr. Speaker?

Mr. Stokes: Because he must talk to the Speaker.

Mr. Deans: I will tell the House what it's going to mean. It's going to mean that the people who are going to rent that land are going to have to pay $150 or $160 a month for the ground rent, rather than the $50 or $60 that they might have had to pay had the land been amortized over a reasonable period and had been half as much as it was in cost. It's going to mean that the average family in the Hamilton area is not going to be able to afford to pay the costs to live on the land that belongs to the Crown. That's a pretty sad state of affairs.

It's a pretty sad commentary on this government's activity when the public of the province earning an average wage, living in a metropolitan area—working in the Steel Co., or Dofasco, or Procter and Gamble, or any number of other places—can't afford to live on Crown land because of the activities of the government.

All right. I said two or three evenings ago on television that it was time for an inquiry. I know that my colleagues in the official opposition have called for a judicial inquiry. I suggest that that's not the appropriate vehicle, because the terms of reference of a judicial inquiry would be far too narrow. It wouldn't afford the opportunity for the kinds of discussion that we would want to have in inquiring into the dealings in land by the Ontario Housing Corp.

So, I am suggesting that what we should have is an inquiry of the type that we conducted into the Workmen's Compensation Board. That a standing committee of the Legislature be empowered to hire counsel; that it would be empowered to subpoena witnesses and records; and that it inquire, as we did, into the WCB, particularly into the practices and policies of the Ontario Housing Corp. with regard to its purchases of land.

I personally want it to direct itself to that purchase. It can direct itself to whatever other areas it wishes, but I would want it to direct itself to that purchase—because I want to know the answer to at least one question. And that question is: What is residual value and what does it mean?

How is it that the developer gets residual value, while he doesn't pay it to the farmer or to the landowner that he purchases the land from? What does it mean and what does it cost the Province of Ontario and the taxpayers? It's okay to have a triple-A rating. It's a lot better to provide housing at a cost the people can afford.

While I'm on the topic of housing, I want to tell you, Mr. Speaker, that I'm concerned not with those who can afford a house, or can't afford a house and wish they could, or ought to be able to afford a house because of earning a reasonable income and working very hard. We also have to change our policies with regard to rental. We have to change the policies to ensure that in times like these, with low vacancy rates, when there is little opportunity for the middle- and low-middle and low-income families to purchase, that those who happen to be in the business of renting apartments, renting accommodations, don't take advantage of it.

We have got to ensure that people are not being used by the system, that they are not having whatever it is that they are capable of earning taken from them by greedy, hard-hearted people, whose only concern in life is money.

I want to make it clear that I don't consider every landlord to be of the type who takes everything that he or she can get. The landlords who deal favourably and reasonably have nothing to worry about. I want to suggest that there are certain landlords, though, in this province who, because of the low vacancy rate, have taken from the renters, knowing full well the position that they are in and the inopportune moment that they are in in terms of trying to find other accommodation. They have taken advantage of this situation.

I suggest, as I did in a debate not many weeks ago, that it is time that we had a review—a procedure for review. It's time that we set up a rental review agency with power to do but one thing—with power either to approve of or deny rental increases required. That agency, on the initiative of any tenant,

would require of the landlord that he produce the evidence to justify the rent increase, and if that evidence was not sufficient to justify the increase that was being applied for, no increase would be granted, and a further application would be required in order for any increase to be given.

I want to suggest that the reason I said that, was because I think that given that as the alternative, the majority of landlords would think very carefully about the magnitude of the increase and the application of the increase to the already high rents that they are collecting in the Province of Ontario.

I think it is time to ensure that tenants do in fact have some kind of voice in the affairs of the place in which they live. We have got to recognize that apartments aren't like factories; they are home for a great many people, and they are entitled to live in that apartment as if they were living at home, without fear, without threats, and they are entitled to live like human beings.

If we were to rewrite the Landlord and Tenant Act, I would suggest that one of the things that should be contained is a standard lease form, so that those who may not have the education, once having had the lease explained to them, are able to know exactly what to expect in any subsequent lease. That standard lease, in my humble opinion, should be set out in such a way as to ensure—it should be mandatory by law—that it be used, and set out in such a way as to ensure that any change to the lease is obvious to the tenant, and must be approved by both parties before it becomes a legal document.

I think the government has an obligation at a time like this, and I think its obligation is to try to ensure that there are sufficient numbers of homes and apartments available as an alternative to the private market. I don't know what that means in numbers. I have thought a lot about it; I have wondered what it would cost, and I have wondered what the total numbers of accommodations might be.

I suggest to the House that if the government were serious about meeting the legitimate housing needs, it would be prepared to move into a crash programme, and would not just simply try to meet last year's limits and fall short by 10,000 or 20,000 housing units. It would be prepared to move into a crash programme to provide, on an overall basis, a sufficient number of units in order that the price in the private sector would be affected and would be reduced.

I've wondered about what's happened in the housing field, and I offer this to the members as a personal view. The problems that we are facing, though not entirely related to housing, are influenced by the housing market. At one point not so many years ago a person was able to purchase or rent for 25 to 30 per cent of their income. When you included their total costs of maintaining themselves, you found that they had perhaps 20 per cent of their total income left for what I would choose to call "frivolous purchasing."

As a result of the land deals of this government, its inability to come to grips with the housing crisis and its unwillingness to ensure a sufficient supply of housing, we have found that for many young people—and many not so young people—the cost of acquiring accommodation has risen to 50 and sometimes 60 per cent of their disposable income, and we now face a situation where there is little or no income left over for what I again call frivolous spending.

I want to tell you, Mr. Speaker, that frivolous spending includes things like the purchase of televisions, the purchase of automobiles, the purchase of carpeting—in fact, other expenditures which may not be considered necessities but which are generally considered by most to be part of the quality of life, the standard of living that we enjoy.

The consequence of what has happened, much of which—or at least a portion of which—I attribute to this government, is that those people who manufacture those commodities that may be purchased by that expendable income are no longer required to produce as much. When they don't produce as much, they don't work as much; when they don't work as much, they don't buy as much raw material; and the effects of that kind of cycle on the economy can well be disastrous.

That's simplistic, perhaps, but it's one of the reasons why we are facing a situation in this province and in this country whereby people are finding themselves no longer required to produce the things which were once being purchased by that frivolous income that I spoke about.

I want to suggest that we can't afford to have 80 and 90 per cent of the income-earning capacity taken up providing only the essentials. That may well have been fine in the Thirties, it may well have been fine in the Twenties, but because of advertising, because of expectations being raised, people expect a higher standard of living. When we allow housing to take such a large chunk of a person's income, we reduce his capacity to buy the other things that are very much

a part of the maintenance of a reasonably stable economy. That, I think, is one of the responsibilities of this government, and I lay it directly at its door.

It can't slough it off on Alberta; it can't slough it off on British Columbia; it can't even say that it's a federal responsibility. It's something that the government of Ontario could have done and didn't do. I suggest that that is where it has failed, in terms of trying to stabilize the economy.

I want to take the members back again to 1967, because in the very first speech that I made in this House I spoke about that very problem. I tried to convince the government of that day that they had to take some action to insure against the rapidly rising costs—and my God, when I think of 1968, when I think of what I thought was a rapidly rising cost, and I look at it in the light of 1974, what was happening then was hardly discernible when viewed over and against the rise of costs in 1973 and 1974. In a personal sense—I've made this statement many times—I look at the house that I bought in 1964. It cost me $15,000; three bedrooms; a little brick house. I still live in it. It cost me $87 a month to principal and interest; 6½ per cent.

Do you know, Mr. Speaker, what that same house is on the market today? Conservatively, $48,000; $260 a month, plus taxes, just to carry it.

I suggest that even the members of the Legislature, if they didn't have their expense allowance and they had to live on their $16,000, couldn't buy that house.

When I look at my three kids and when I speak to others—and I think of the opportunities that they have—I say to everyone, with very few exceptions, that if they went out today and they earned their father's income, they couldn't buy the house that their parents live in at today's market price.

That, Mr. Speaker, is an indictment of the government. That's because it has failed to come to grips with the housing problem. It's okay to talk about meeting the market price, but the responsibility lay in another direction altogether.

Surely a government's responsibility is to ensure that the basic essentials are available to those who work at a price that they can afford. And this government failed in that, and it failed in that because it is in the same game as the speculators. It has played the same game too long and because it comes from the same family. That's the reason why we have such difficulty in trying to meet what I consider to be one of the major problems confronting the majority of people.

And how does this government go about dealing with it? I want to talk about that for a moment, too. I want to talk about the lottery in Hamilton. The lottery was grossly unfair; the lottery didn't begin to meet the bill. There were too many loopholes and problems that developed as a result of the way that lottery was run. Far too many good and sensible people are so discouraged and upset by it that they have almost given up.

You pick up the phone in the evening and you hear people crying, literally crying, because they couldn't get a house. You talk to them and you find that there are some very serious questions about the way in which the lottery was conducted. You find people who already own houses, very adequate houses, whose names were in the lottery and who have been drawn. So they are going to sell the one they have at the market price and they are going to move into the Ontario Housing Corp. house. Well, okay, the law permitted it; but it ought not to have. That's one of the major problems.

With a lottery for 700-odd houses, you find people being forced to apply to a single builder who may have 60 or 70 lots. Instead of having one chance in 700, they have one chance in 60 or 70. It's quite ridiculous. When running a lottery it would make sense —and I suggested it before—that they continue to draw the names out of the hat or out of the drum until they are all drawn.

Give them a priority number, because we know that the government is going to have future housing developments. They then are given the opportunity to move into that housing development as their priority number comes up, rather than to take a chance year after year after year, to have their expectations raised, to have their hopes dashed, and to have them soured and turned off and discouraged by a system which is grossly unfair, which doesn't take into account their capacity to pay, which doesn't take into account their need but just simply takes into account luck.

Well, I have got to tell you, Mr. Speaker, that I just don't happen to think that in the field of housing luck should play a very important part. I just don't think so, and I think it's about time that the government understood it. There is a lot more to be said about the lottery, but I don't intend to speak forever about that. I have got a number of other things I want to talk about.

Do you recall, Mr. Speaker, that during the

health estimates I raised with the Minister of Health (Mr. Miller) the problem of the ambulance services around the Province of Ontario? I want to suggest to you, as I did to him, that there is a great need for a review of the method of providing emergency service in the province. While I realize there are some who will disagree with me, I still believe that an ambulance service has to be provided on a reasonably uniform basis to all residents.

I understand and I want to make it clear that there are places where the ambulance will no doubt be much closer, where it will get to the scene much more quickly, where it is much easier to provide the service. But, to the greatest extent possible the requirement is to ensure that the sick can be transported as quickly and as equitably as is humanly possible and that can't be done with the existing system.

It can't be done with the existing system because the existing system is based on something called "an incentive programme." It's privately operated—or is it? We've an ambulance system that's private; well, what's private about it?

The government pays for the housing of the ambulance, the ambulance base. The government buys the ambulance. The government pays for all of the equipment on the ambulance. The government establishes the budget for the service. The government audits the budget, so-called. The government decides how many ambulances are needed in an area. The government makes sure that there's an adequate communications system set up to send the ambulances out to the places where they are needed and it pays for it. And then it hands it over, all paid for, to someone and says: "It's yours, baby. You are a private enterpriser. Go ahead and run it."

I have got to ask you, Mr. Speaker, what's private about that ambulance service? Taxpayers' money paid for the vehicle. Taxpayers' money paid for the equipment, paid for the communications, even paid for the house that the ambulance sits in. The government pays the wages, monitors the budget and then hands it over to some individual and says: "Whatever you can cream off the top, you can keep."

Well, I don't understand that. That's not a private system, that's a public system. The only thing is the government is saying to its friends that they are going to give them X number of dollars and if they can manage to run it a little more cheaply, they can keep the difference.

How do you justify that, Mr. Speaker? How does anyone justify that? How do you justify the disparity in available service? How do you justify to my colleague from the north the inadequate ambulance service that they have? I don't understand it. I have never understood it, I probably never will. If we come to power, we will change it.

An hon. member: That's for sure.

Mr. Deans: We will change it. We won't change it that much, by the way. We won't have to. We will just simply say that that which belongs to us still belongs to us. We will put a manager in, the manager will manage it, he will be paid a salary, and whatever is saved the taxpayers will keep.

Not a bad idea, eh? Maybe we could save a few dollars for the taxpayers that way. We might even be able to provide a better service because maybe the few dollars we save we could put into another ambulance someplace. Maybe we could ensure that there's a helicopter ambulance service available in certain parts of the province. How do you know?

It surprises me. The more I think about it, the more wonderful ideas I have about what we could do with the money that we currently give away to the ambulance operators. Very nice people, but I can't afford them. I can't afford to have them. I can't afford to be taxed in order to keep some people going in fancy homes, driving big cars, at the taxpayers' expense—and the taxpayers can't afford it either.

I'm suggesting to you, Mr. Speaker, if you ever talk to the Minister of Health I want to urge you to suggest to him that since we own it all anyway, why don't we run it? Why don't we run it out of the hospitals where it ought to be? Why don't we stop giving the private operator the money in his pocket to acquire property for his own use in the future?

You know what happens in that regard, don't you? He goes out and he finds a little building or he builds one, and then the government, taking into account the cost of maintenance and the cost of amortization of the building, settles on a figure that it will pay him in order that he can maintain that building. That building is in his name. Someday when it's paid off, do you know who owns it, Mr. Speaker? He does. Do you know who paid for it? We did.

Anybody can be a private enterpriser under those conditions. Even I could run a business.

Hon. Mr. Kerr: Not even a Freshie stand in the Gobi Desert!

Mr. Stokes: Under those circumstances, he couldn't miss—not even he.

Hon. A. Grossman (Provincial Secretary for Resources Development): Where would he run it? He'd run it into the ground.

Mr. McIlveen: He talks as though he had brains.

Mr. Deans: I've got to tell you, Mr. Speaker, even I could run a business if the government guaranteed to provide everything I needed and to pay for it and let me keep what I could.

Hon. Mr. Grossman: If the member's party gets in, that's probably what will happen, too!

Mr. Stokes: That's what is happening.

Mr. Deans: That's the ambulance service of the Province of Ontario.

Mr. J. Riddell (Huron): The member fails to differentiate between urban and rural centres. Some people are 50 miles away from a hospital.

Mr. Stokes: That's what is called blue socialism—socialism for the rich.

Mr. Deans: When you're 50 miles away from a hospital you have serious difficulty getting an ambulance, Mr. Speaker.

Mr. Riddell: The member better believe it.

Mr. Deans: Therefore you require substations when you're 50 miles away. But for those in the metropolitan areas the ambulances should run out of the hospitals.

Mr. D. A. Paterson (Essex South): I say there is more to it.

Mr. Deans: I didn't catch what the member said.

On top of that, if a person is a number of hundred miles away from a reasonable health care facility, maybe we should give some thought to creating a health care facility closer by. Maybe that might not be such a bad idea. It could well be that some of the communities in the north and in other areas more sparsely populated—

Mr. Stokes: There are mobile clinics.

Mr. Deans: —could have some form of mobile clinic or the establishment of a health care facility, not necessarily a fancy hospital—

Mr. Stokes: Maybe a flying doctor.

Mr. Deans: —in closer proximity to where they live. I think the answer is around if we look long enough. I don't think it's in this racket here. There are a number of ways to do it and I don't think this is the right way. It may be there are ways other than I think, but what the government has done in this regard reminds me a little bit of Robin Hood, but robbing the poor to pay for the rich. That's what happens.

I don't think the government has the right to use taxpayers' money to provide not only an income—I wouldn't mind the income—but to provide any person in the Province of Ontario with the opportunity to acquire for his own use and for his personal use only, real property in the province. That's what the government has done in the ambulance service and, if it doesn't change it, it'll rue the day. I can assure the government that a great many people across the Province of Ontario are beginning to ask the questions. They may not have the answers, but they're asking the questions.

I'd like to talk just for a brief moment or two about regional government.

Hon. Mr. Kerr: It's working well in Hamilton. It's a big success in Hamilton-Wentworth.

Mr. Deans: I wanted to talk for a moment or two about regional government because I know that a great many people in the Hamilton-Wentworth area are quite concerned about the cost. I know you can remember, Mr. Speaker, that I asked the Premier (Mr. Davis) some months ago—

Mr. Stokes: The Solicitor General disagreed.

Mr. Deans: Oh, the Solicitor General always disagrees with me—and always lets me know I am right.

Hon. Mr. Kerr: They are happy in Hamilton-Wentworth; happy the taxes went down.

Mr. Stokes: Ecstatically happy.

Mr. Deans: They are delighted. The people of the area are asking the question: "What are we getting for our dollars? What is it that we get in return for the tax dollars that we are paying?"

I have got to think the people deserve an answer, and I am not at all sure that there is anyone capable of giving them the answer. I have asked the question. I asked the Treasurer (Mr. White) during a debate we had on regional government some weeks or months

ago. I asked the Premier: "What do they get for their money?" But he didn't seem to know.

So, I wrote him a letter and said to him: "Look, you are going to conduct a study into Metro Toronto regional government. You are going to appoint that fine fellow, John Robarts—the guy who pays for the Citizens' Coalition. You are going to appoint him as the chairman of the study."

Hon. Mr. Snow: Great man, great man.

Mr. Deans: And he is okay. You know, he may do a good job. But I said: "Don't you think, since you are inquiring into the form of regional government, it might not be a bad idea to have some kind of cost-benefit analysis of the regions already in existence, before we jump any further into regionalization? Don't you think that we should take a serious look at what people are getting for the additional tax dollars that they are paying, before we thrust any more regionalization on top of them? Don't you think that maybe we should be a little more honest with them and calculate their taxes without the transitional grants so they might see what it is really costing them to have regional government, or what it is going to cost them in five years time—even without any increase for additional costs and cost of living increases?

"Don't you think the people of the Province of Ontario, those who are already in regions, have the right to know what the tax burden is going to be after the next election when the transitional grants are no longer forthcoming and when the Province of Ontario isn't picking up such a large share of the cost of operating the regional governments?"

And then I looked at the Hamilton area and I thought: This was supposed to be—

Mr. Paterson: Are we going to cut those grants out?

Mr. Deans: Yes, after five years.

Mr. Paterson: We are?

Mr. Deans: Yes; but the member is not going to be the government, so it won't matter.

I thought to myself: This government is supposed to co-ordinate things. They are supposed to see some co-ordination; some doing away with the duplication. I looked at the Hamilton area. Well, we have got the Hamilton-Wentworth official plan under way; we have got the Escarpment plan under way; we have got the lakefront plan under way; we have got the interior Hamilton transportation study under way; we have got the airport plan under way; and now we have got the Hamilton-to-Nanticoke corridor study under way. Have I forgotten any?

Interjection by an hon. member.

Mr. Deans: Right. And they are not co-ordinated in the least. Do you know, Mr. Speaker, that government can't decide one without thinking about the other? It can't come to a decision on one without knowing how the other is going to work. It can't possibly develop the Hamilton region official plan without knowing what the Escarpment plan is going to be. It can't develop the Hamilton region official plan without knowing what the lakefront plan is going to bring forth. It can't plan any integrated community without knowing the interior transportation methods that are to be used. It can't plan for Hamilton-Wentworth without knowing exactly how the Nanticoke-to-Hamilton transportation and utility corridor is going to be developed. And it certainly can't do any meaningful planning unless it knows in advance where the airport is going to be.

So here we have all these things all going on, independent of each other—five or six different operations by different people, not co-ordinated in the least. There is no indication that one knows what the other is doing. I spoke to the Nanticoke corridor people. I said to them: "Okay, how are we going to get the people from the dead end that you've got drawn on the map that ends at Lime Ridge? How are we going to get them down to the industrial area?" They didn't know.

Mr. R. Haggerty (Welland South): Build a new city.

Mr. Deans: I said to the escarpment people: "How do you expect the Hamilton-Wentworth planners to plan the community without knowing how much of it is to be saved for escarpment purposes?" They didn't know. I asked the lakefront planners: "How do you hope to plan for the saving of the lakefront without knowing where the municipality intends to build?"

In other words, there are five or six different plans going on, and there is absolutely no co-ordination one with the other. Wasn't that one of the things that regional government was supposed to bring?

What did we get for regional government? Oh, we got higher taxes. It will be denied by the member for Halton West (Mr. Kerr) but

we got higher taxes. The full impact of the taxes are being felt yet, but the higher taxes are reflected in the size of the provincial grants, which are currently offsetting the additional costs. Some day those grants won't be coming, because they are transitional; and when they cease to come, what then will be the cost and what will be the benefit that will accrue? That's where we're at.

What I'm saying to the Premier and to the Treasurer is that with the sophisticated machinery of the government, surely they can sit down and do a cost-benefit analysis. Surely they can look at what it now costs, at what new projects are under way, at what it costs to produce what is required in order to create a viable community, at what it costs to create an overall plan of development to save what has to be saved and to develop what can be developed, and then tell us whether we're better off with this great new plan or whether it's costing us more than we're getting in benefits. I suggest that at least in the interim, and maybe in the long term, it's going to cost considerably more than the majority of today's residents will ever see in benefits. That's the question.

As I said about housing, about the ambulance service and about the collective bargaining process, we have the obligation to create a system that can provide the maximum at the lowest possible cost. Money doesn't grow on trees—

Mr. Stokes: Right on.

Mr. Deans: —and the majority of taxpayers in the Province of Ontario can ill afford the cost of these fanciful programmes and schemes that the government dreams up in an attempt to enhance its public image.

I have two or three other small matters that I want to talk about before I get to the main topic that I wanted to raise.

Mr. A. J. Roy: (Ottawa East): Bring this man to order.

Hon. Mr. Grossman: Is he filibustering the member for High Park (Mr. Shulman)?

Mr. R. S. Smith: He's cut off.

Mr. Deans: No, I'm not cut off for six minutes, until we get to the evening programme.

Hon. Mr. Kerr: The late, late show.

Mr. Deans: It's commonly called the late show. Tonight it's a mystery. Other nights it's been a comedy. It depends who does it. But tonight it's a legitimate mystery, and we're all going to hear it.

Mr. Roy: Is the member saying he's a comedian tonight?

Interjections by hon. members.

Mr. Deans: I thought I'd spend a moment, since I have only a few moments—I might as well tell you what I'm going to talk about Thursday, so that you know, Mr. Speaker—

Mr. Roy: Yes, we're waiting in breathless anticipation.

Mr. Deans: I want to talk at length about the cost of living, and I have a few notes here that I want to refer to. I also want to talk about organized hockey.

Hon. Mr. Winkler: The member for Downsview is first; don't forget that.

Mr. Deans: Not in the line of violence; I want to talk about organized hockey and the effect—

Interjection by an hon. member.

Mr. Deans: —of the operation that we have in Ontario on youngsters in the Province of Ontario. I am going to do that on Thursday, I hope; but I don't want to start it tonight, because I wouldn't be able to get into it and it is one of those sort of compartment-type—

Hon. Mr. Winkler: I think the hon. member for Downsview comes first, in the next introduction of the debate.

Mr. Deans: Oh no, he will get on when I am finished. I am already in—

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Isn't the member finished yet?

Mr. Deans: Not at all. I will be delighted to—

Mr. Stokes: One doesn't interrupt the speaker who is available for one who isn't available.

Hon. Mr. Winkler: Oh, I am sure we can make an arrangement.

Mr. Deans: Anyhow, just to maintain this, so that I don't lose the continuity, I don't want to deal with the other two matters before Thursday. I want to turn to something that has caused me some aggravation. I want to talk a little bit for five minutes, or four minutes now, about the Bill Davis years, because they have intrigued me.

Mr. Roy: Talk about organization of the work of the House.

Mr. Deans: No, I can't do that, because there is no organization to talk about.

An hon. member: Great years.

Hon. Mr. Winkler: Best years of Ontario.

Mr. Roy: The House leader is here; tell us how we are supposed to sit on Wednesday?

Hon. Mr. Winkler: Tell us about the flip-flop of the member for Ottawa East.

Mr. Roy: Yes, tell us how we are supposed to sit on Wednesdays.

Mr. Haggerty: Tell us about the flip-flop of Benoit.

Mr. Roy: The flip-flop of who?

Mr. Speaker: Order, please. Perhaps it might be appropriate, if the hon. member has reached a convenient spot in his remarks, to move the adjournment of the debate.

Mr. Deans moves the adjournment of the debate.

Motion agreed to.

Mr. Speaker: Are there any further announcements before the next order?

Hon. Mr. Winkler: Mr. Speaker, if you wish me to put on the record the business of the House for Thursday, I would be pleased to.

Mr. Speaker: Perhaps you might.

Hon. Mr. Winkler: Starting with items Nos. 11, 12, 17 and 18, and then anything I might wish to announce after that.

Mr. Speaker: I think we can deem it to be 10:30 o'clock, p.m.

Order, please, in accordance with the standing order 28(a), I deem a motion to adjourn to have been made. As announced earlier this afternoon, the member for High Park has two matters he wishes to discuss. I might just point out that the hon. member has approached me indicating that his two remarks are so closely related—in fact, they are almost one and the same I believe—and that he has a total of about 7½ or eight minutes. I would seek permission that he be allowed to combine his two five-minute periods into one of 7½ or eight minutes, and then any replies can follow. Do I have that agreement? Very well.

The hon. member for High Park.

SEAFARERS' INTERNATIONAL UNION

Mr. M. Shulman (High Park): Mr. Speaker, on Nov. 19 I requested that this government investigate the violence and other abuses within the SIU because, as I then said, the federal government is too intimately associated with the SIU to take the necessary action. Following that speech, I supplied the information I had to the RCMP, but Mr. Allmand said yesterday that I had given them nothing. I am therefore relating these matters here in the hope that the provincial government will order an inquiry.

I do not intend to go through the history of how the Liberal government brought the SIU to this country, but it is worth pointing out that internal telegrams of the SIU during the 1960s referred to the Liberal government as the SIU's branch office in Ottawa. The heads of the SIU do not consider that things have changed since that time.

Item 1. The man in charge of the federal investigation is Solicitor General Warren Allmand. I would have hoped that Mr. Allmand would have assigned someone else to this investigation, in view of the fact that he himself has personally intervened on behalf of the SIU in the past.

On Oct. 4, 1972, Mr. Allmand, in his position on the federal transportation committee, criticized his own government and Transport minister Don Jamieson for not doing more for the SIU on the Great Lakes. Twenty-six days before the federal election Allmand went to SIU headquarters to promise Gralewicz his continued support. On Oct. 5 the SIU assigned a team of workers to Mr. Allmand's Montreal riding to assist him, and the campaign from that point on was marred by beatings and ripping down of opposition signs.

It is significant that Allmand's official agent was Joseph Nuss, 626 Clarke Ave., Montreal. Mr. Nuss has been the lawyer for the SIU for many years. Nuss was the SIU counsel during the Norris inquiry, and commissioner Norris said about Nuss in his report that he did not conduct himself as counsel should, that he made the mistake of identifying himself too closely with the SIU and that he permitted himself to be used to delay and frustrate the inquiry. The commissioner concluded: "Attempts were made to delay and frustrate the proceedings in every way, and to harass and bait the commissioner." That's Mr. Allmand's official agent. Perhaps this makes Mr. Allmand's comments about the Munro tape more understandable. He said the tape shows no evi-

dence of corruption or bribery. Well, no one ever suggested it did. What it does show is that the SIU has the same relationship with Munro as it has with Allmand—sufficiently cosy and friendly that the federal government will not act, despite the continued violence.

Today Mr. Allmand admitted receiving money from the SIU and said there was nothing wrong with accepting a campaign donation from a union unless there was proof that that union was involved in illegal activities. Tonight I shall table evidence that was in the hands of the federal Minister of Labour proving such illegal activities were taking place at the very time that Allmand held his joint press conference with Gralewicz at SIU headquarters.

Item 2. On Nov. 25 when the Toronto officers of the SIU, Harnum and Willis, who are in the gallery tonight, were served with summonses in relation to charges laid against them, they said to the six police officers that nothing would come of it because too many important politicians were involved.

Item 3. Roman Gralewicz, president of the SIU, in September of 1974, when interviewed by police officers from two forces, boasted to them that they could do nothing to the SIU because he had a senior cabinet minister "in his pocket." He then named the minister. It was not Mr. Munro; it was not Mr. Allmand. In the course of the same statement, Gralewicz also spoke of the union's close connection with other members of the cabinet. The RCMP have a copy of Gralewicz's statement, including the name of the cabinet minister. I called that minister and he denied being in anyone's pocket, but he did admit to a close friendship with Leonard McLaughlin.

Item 4. Gralewicz's predecessor as head of the SIU was Leonard McLaughlin, who is described in an SIU inquiry as devious, unscrupulous and entirely untruthful. This man was appointed by federal Labour minister Martin O'Connell in 1972 to be a labour adviser to the United Nations representing this country. This appointment was made after the bitterly contested SIU election the year before which had been marked by violence and beatings. McLaughlin's appointment allowed Gralewicz to take over as head of the SIU.

Item 5. At an SIU executive meeting prior to the last federal election, it was decided to donate $10,000 toward the election campaigns of specific cabinet ministers. Whether or not those cabinet ministers received the money can only be determined at a royal commission. It has been suggested to me by a police officer that portions of the money which left the SIU never reached the cabinet ministers.

Item 6. The RCMP now have a tape of a conversation between Roman Gralewicz and Labour minister John Munro. This tape is the one the Star referred to as "a bombshell." I do not believe that it is a bombshell. It is, however, highly significant. This tape, made just before the last federal election, is of a phone conversation, during the course of which is discussed financial aid and, more importantly, a large block of votes to be supplied to the Labour minister in the campaign. In addition, the SIU leader asks if Martin O'Connell, the previous Labour minister, requires assistance. He refers to this Liberal members as "my old friend."

The conversation between Munro and Gralewicz is obviously that of two friends. Here is an excerpt:

Gralewicz: "I want to give you a little money for your campaign. I'm going to give you $500."

Munro: "Thanks a million."

Gralewicz: "Well, no, it's not a million; that's for the good guys. All you so-and-sos get is $500."

In my opinion, the significance of this tape lies in the fact that Munro had just come from negotiations between the Seafarers' International Union and the shipping companies at which he personally had sat at the table as the "impartial" arbiter.

When we look back over these six items the overwhelming impression is that of a union that is very sure of its relationship with the government. After all, it is one thing to make a campaign donation; it is another to boast to your membership of your relationship with important politicians, and surely it bespeaks an arrogant confidence for union leaders to dismiss police officers with a comment that they can do nothing because key members of the cabinet are in their pocket.

In 1972 a mass of detailed evidence of violence was presented to Martin O'Connell with a request that something had to be done "before any more violence occurs." Included in this mass of evidence was an affidavit, which I will table in a moment, describing a beating administered by Gralewicz and Willis and 11 other men. The reply of the Minister of Labour was that his department was "without authority to conduct investigations into the internal activities of a union." The Labour minister down there can't do it, the Labour minister here can't do it, and the federal

Minister of Justice can't do it. Who can do it? Our Solicitor General says he can't do it.

Since that day in 1972, the violence and intimidation have continued. While O'Connell, Munro, Allmand and other cabinet ministers have said nothing is wrong and nothing can be done, they have not found any difficulty in accepting SIU money and other aid.

Before tabling these papers, I would like to read them into the record. The first one is dated March 17, 1972. It's addressed to the hon. Martin O'Connell.

Dear Mr. Minister:

During the 1971 general election of officers for the Seafarers' International Union of Canada, intimidation and violence have taken place. Since the results of the election, the intimidation and violence are still with us, and we are requesting that the federal Department of Labour investigate our union and its implications in these acts. Also the financial structure and how much SIU money was spent on the election, paid to people not qualified to receive any remuneration from our union.

We sincerely trust that your department will make every effort to investigate these acts before any more violence occurs.

Thanking you and your department, we very kindly remain,

Yours very truly,

Seamen's Reform Committee,
John S. Cooper, chairman.
Frank Wheeler, co-chairman.

Accompanying that document was a great mass of affidavits. I am only going to read one into the record because of lack of time, and it is this one because it mentions the leaders of the SIU.

Please be advised that I was a candidate for the position of vice-president for the port of Quebec during the 1971 SIU general election. I was forced to resign my position prior to the election in order to campaign for the said position.

While attending the SIU general membership meeting in November at Thunder Bay, Ont., I was in the company of Bill Glasgow, Ray Doucette, Lenny O'Toole and Evan Keating. After the meeting at the St. Louis Hotel, at 11 p.m. I left the hotel to bring Bill Glasgow's car to the front of the hotel and discovered that his car had all the wiring cut out and also the power brake lines were cut. I returned to the hotel and advised Bill Glagow of this and at that time we all left the hotel together.

We were attacked in the hotel parking lot by 12 to 14 men. In the group of men were Roman Gralewicz, John Pearson, Bobby Lazarus, and Roy Willis, and I personally was attacked by four men, two of whom were Wayne Lazarus and Ian Vickers. I was struck several times in the face and knocked down and was repeatedly kicked all over the body and face. I was completely black and blue. Wayne Lazarus and Ian Vickers travelled with the Gralewicz party from Thorold to Thunder Bay.

Fraternally yours,
Francois de Lachavotier."

This is the reply the Labour minister sent and it's dated March 24, 1972. Let me stress again there are a mass of documents, a mass of affidavits.

Dear Mr. Cooper:

Hon. Martin O'Connell has asked me to acknowledge your letter of March 17 signed by you and Mr. Frank Wheeler concerning alleged violence within the Seafarers' International Union of Canada. I have been advised that you, accompanied by other members of the Seamens' Reform Committee, met with Mr. W. P. Kelly, assistant deputy minister, industrial relations, and A. R. Gibbon, assistant director, conciliation arbitration branch, on Wednesday, March 22, regarding the above matter.

Further, it is my understanding that you were informed by Mr. Kelly that the minister or the department are without authority to conduct investigations into the internal activities of a union.

Yours sincerely,
David J. Simms,
executive assistant."

I'd like to table these papers, please.

Mr. Speaker: The hon. member has about 30 seconds left. Is he finished?

Mr. Shulman: Almost, in 30 seconds more.

I suggest to you, sir, that all of this adds up to a prima facie case showing an intimate relationship between the SIU and the federal government. It is sufficiently close that the federal government has seen fit to ignore the continued violence which has been documented and presented to it since 1971. Surely it is time for this government to order an inquiry into the violence and other abuses. In closing, let me stress, so that it will not be forgotten, the main issue is the violence and the men who are in terror at the waterfront, not the actions or lack of same of people in the federal cabinet. Thank you.

Mr. Speaker: The hon. Solicitor General.

Hon. Mr. Kerr: I'd just like to take a few minutes to outline the role of the police authorities in the investigation in respect to violence and intimidation in the SIU and also the question of an inquiry as suggested by the hon. member for High Park.

I think in some of the remarks made by the member for High Park, particularly in his speech of Nov. 19 last in the Legislature, there seemed to be some insinuation that the police were not aware of some of the facts that he had exposed or indicated to the House that evening and that, in fact, he brought the activities of the SIU within the SIU to the attention of the Attorney General and myself. The facts are that the Metropolitan police and the Ontario Provincial Police have been investigating allegations of violence and intimidation within the SIU since early spring, since April, and this investigation, of course, has gone on within the province and also in certain areas outside the province.

A number of interviews took place with those seamen who have made complaints regarding assaults on themselves and regarding violence. In August of this year there were two charges of assault laid as a result of that investigation. There is no question that there has been some difficulty in getting sufficient evidence because of the reluctance of seamen to lay charges because of fear, not only for their own selves but for their jobs. However, in spite of this and because of a stepped-up investigation by the Metro force and the OPP, there are now about five charges that have been laid and are pending before the courts. I want to say that the police have been investigating these charges, certainly long before the hon. member for High Park came to my office in late August to tell me about the interviews that he had had with seamen regarding beatings and assault of various seamen along the waterfront.

Now this investigation of course will continue, although I must say that the protection of privacy Act has inhibited to some extent the investigation of the police. However, the police are still attempting to lay further charges.

Now, certainly the information that has been given the House this evening is known to the police. And if there is any new information, of course, this will be further investigated by the police.. But I wanted to make that one point that the police now, including the RCMP, are thoroughly involved in the allegations of violence and intimidation and assault on the waterfront.

Mr. Roy: How does the Invasion of Privacy Act stop them?

Hon. Mr. Kerr: Well, you have to get a court order, for one thing, and you have to have sufficient reason and evidence to get that court order.

Mr. Speaker: Order, please. There is no time for questions and answers.

Hon. Mr. Kerr: That is one thing.

Mr. Speaker: There is very little time at the members' disposal.

Hon. Mr. Kerr: Mr. Speaker, regarding the question of a royal commission, both the Attorney General and I have said on a number of occasions in this House that if there is to be an inquiry, it should be at the federal level.

Mr. Deans: They won't do it.

Hon. Mr. Kerr: The Seafarers' International Union is a federally-chartered union. It is under the authority of the Canada Labour Code. Its members are from all parts of Canada, and even some from outside of Canada. Its head office, I believe, is in Montreal. From 1963 to 1967, the union was under federal trusteeship. I am informed, Mr. Speaker, that any regulation of the union is ultra vires of the province under the provisions of the British North America Act.

Now the hon. member at one point had indicated that one of the main reasons why we should have a royal commission is to investigate the hiring hall methods of this union—the hiring system of the union. As the hon. member knows, I am sure, the use of hiring halls is a provision of the collective agreement between the shipping associations and the union itself. The collective agreement is arrived at and validated by the provisions of the Canada Labour Code.

Any change, therefore, in the hiring system would have to be achieved by amendments to that code, or pressure would have to be brought by the membership to ensure that the next contract doesn't include the hiring system that exists at the present time.

Mr. Speaker: May I determine if the hon. Solicitor General is replying to both questions, or just to one?

Hon. Mr. Kerr: To both questions.

Mr. Speaker: Is the hon. Attorney General going to make a reply?

Hon. Mr. Kerr: To both questions, Mr. Speaker.

Mr. Reid: He lost the flip.

Hon. Mr. Kerr: Now, it's quite possible at this point, Mr. Speaker, that I should suggest that possibly the NDP caucus should have a position on the hiring system as it exist in the SIU—

Mr. Bullbrook: Don't be silly. Don't do that.

Hon. Mr. Kerr: —particularly the federal caucus. Certainly, that is one of the main roots of the problem in that particular union at the present time.

Mr. Deans: Supposing the minister had a decision. Does he think we could do anything about it? He is the government.

Hon. Mr. Kerr: I would think so.

Mr. Cassidy: This government supports the system. It supports the violence.

Hon. Mr. Kerr: The NDP is probably very close to the union.

Mr. Deans: Is that the minister's answer?

Mr. Speaker: Order, please.

Interjections by hon. members.

Hon. Mr. Kerr: Mr. Speaker, as the Attorney General has indicated and as I have indicated, we feel there should be an inquiry. As we have said, it should be a federal inquiry. I think you will agree it would be rather a ludicrous situation that would develop if the provincial government was investigating possible wrongdoing by federal officials or federal politicians.

Again, I can refer to the power given to the minister under the Canada Labour Code, section 196. "The minister, upon application, or of his own initiative"—

Mr. Speaker: Order, please, I just want to make certain. Is the minister answering both of the questions? Is that clear? In which case, there will be a total of 10 minutes. If that's in agreement with—because five minutes are up.

Mr. Bullbrook: Will the Chairman of the Management Board settle this dispute so that we know what's going on? Normally he is level-headed.

Hon. Mr. Kerr: "—may do such things as to him seem likely to maintain or secure industrial peace and to promote conditions favourable to the settlement of industrial disputes or differences."

Then, of course, there's the power of the federal minister, particularly of the federal Minister of Justice to hold a judicial inquiry, just as we do in this province from time to time. It may be even possible, Mr. Speaker, to reconvene the old commission of inquiry under the federal labour code. That really has never been wound up.

Mr. Speaker, although there may not be sufficient evidence to lay charges of bribery or corruption against federal officials, I believe there is sufficient evidence of assault and violence and intimidation that requires an inquiry which would cover the waterfront and, in my opinion, would clear the air.

Mr. Bullbrook: Cover the waterfront? That's beautiful really.

Hon. Mr. Kerr: How about that?

Mr. Bullbrook: Who wrote that for the minister?

Hon. Mr. Welch: Mr. Speaker, in summary, the allegations and the innuendoes of the hon. member for High Park are serious. If, in fact, as the Solicitor General mentioned, this should be the subject matter of an investigation, there is no question where the jurisdiction lies to do this, in the government of Canada. The Prime Minister himself can obviously intervene in this matter.

Mr. Roy: The minister has no right to speak, Mr. Speaker.

Hon. Mr. Welch: I am quite satisfied under the circumstances, as far as police investigation and law enforcement are concerned, that we are doing our job. These charges have been laid and they are before the courts. I would certainly support the position of the Solicitor General and urge the government of Canada to review these matters and, if an investigation is required, that it be done by the government of Canada with the powers it has.

Mr. Speaker: It was my understanding that the Attorney General was not going to speak. That's why I allowed the extra time to the Solicitor General. We're still within the time limit. We allowed this. It's an unusual procedure, I know; but because the two questions were really one, or at least very close in my opinion, we did stretch that point.

I now deem the motion to adjourn to have been carried.

The House adjourned at 10:50 o'clock, p.m.

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No. 144



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Thursday, December 5, 1974

Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 5, 1974

The House met at 2 o'clock, p.m.

Prayers

Mr. C. E. McIlveen (Oshawa): Mr. Speaker, in the absence of the member for St. David (Mrs. Scrivener), it is my pleasure to introduce eight students from Castle Frank High School here in Toronto with their teachers, Mrs. Morris and Miss Pavelich, and I ask the members to join with me in welcoming them.

Mr. V. M. Singer (Downsview): Mr. Speaker, again today I take great pleasure in drawing to your attention the presence of some 90 students from Downsview Secondary School who are sitting in the gallery. This is the third large group from Downsview Secondary School that has been in attendance in the past week, and there is yet a fourth group to come. I think the members of the House by now should know that Downsview Secondary School is situated in the riding of Downsview. Many of the students come from the riding represented by the hon. member for Yorkview, so on behalf of the people of Downsview I wish to introduce these people to the members and ask for their recognition, and I'm sure my friend from Yorkview will want to say a few words as well.

Mr. F. Young (Yorkview): Mr. Speaker, just a word in addition to add my welcome on behalf of Yorkview to the students who are here today from Downsview Secondary School. I'm sure the House will want to welcome them in the usual way.

Mr. A. J. Roy (Ottawa East): I thought we were going to have the Wayne and Shuster hour.

Mr. L. Maeck (Parry Sound): Mr. Speaker, may I introduce to the members of the Legislature 23 grade 8 students and their teacher, Mr. Webster, from the community of Britt. They attend the Britt Public School in the great riding of Parry Sound. I would ask you to welcome them.

Mr. Speaker: Statements by the ministry.

SALARIES FOR SPECIAL EDUCATION TEACHERS

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I would like to inform the members of the House that a contract agreement has been reached between the government and the 696 teachers who teach in provincial schools for the blind and deaf, correctional institutions and hospital schools. Tentative agreement was reached in the early hours of last Saturday morning, after eight days of bargaining between negotiators of three teachers' groups and the Ministries of Education and Correctional Services. Tuesday evening this agreement was ratified overwhelmingly by about 97 to 98 per cent.

On average, the new contracts will provide an increase of 17.8 per cent for the 1974-1975 school year, retroactive to last Sept. 1. Minimum starting salaries will be $6,300, rising to a maximum of $19,000 after 13 years' experience.

In addition to the salary increase, Mr. Speaker, the government also agreed to increase its share of group life insurance premiums to 100 per cent and OHIP from 66⅔ per cent to 90 per cent. Also, we have agreed to pay the total premium for extended health care and supplementary hospital insurance, two new features of the benefits plan.

In recognition of the unique nature of these schools, the teachers were granted a $300 increase in a special allowance paid to them, raising it to $900 per year from the previous $600. They also gained an extra $50 in a special allowance payable immediately.

The settlement contains provision for a complete category classification review for all 696 teachers, incorporating the recommendations of the Qualification Evaluation Council of Ontario and the Ontario Secondary School Teachers' Federation. Acknowledging the specific nature of these schools, the category definitions have been modified to accommodate the special requirements of our teachers.

The agreement also provides additional increases in responsibility allowances for prin-

cipals and vice-principals and increases for resource and liaison teachers.

Mr. Speaker, in separate negotiations, correctional teachers and the government agreed to develop a mutually acceptable grievance procedure for these teachers during the next year.

The government and the three teachers' groups agree to form a joint committee to consider and recommend a new contract relationship which will include collective bargaining rights for the teachers. The discussions which just concluded marked the first time that negotiation procedures were used to establish the contract terms between the government and the teachers in the provincial schools.

Mr. Speaker, I am very pleased to be able to report the terms of this settlement today. I must say that the bargaining that went on between the teachers and the government exhibited a full degree of good faith between both parties and reflected a sincere wish on both sides to achieve settlement without confrontation or disruption of service to the citizens of Ontario.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT LEGISLATION

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, as the members are aware, several meetings have been held between the Management Board of Cabinet and officials of the Civil Service Association to discuss proposed changes in the Crown Employees Collective Bargaining Act.

At the latest meeting, which was held earlier today, I reviewed with the CSAO the draft of proposed changes which will be tabled in the Legislature in the very near future. I would like to summarize the legislative changes that are now being prepared.

The members will recall, Mr. Speaker, that the CSAO asked for 24 changes in the Act. Some of these were procedural in nature; others were fundamental to the negotiating process. We have advised the CSAO that the government proposes to introduce amendments to the Act in the following areas:

1. Section 1(1) (g) (v) of the Act to be changed so that persons employed on a casual or temporary basis will be considered "employees" under the Act from the date of hire as opposed to after six months of continuous employment, as at present. The exceptions to the new arrangement would be students employed during the regular vacation period or on a co-operative educational training programme, or a person not ordinarily required to work more than one-third of the normal work period for persons performing similar work.

2. A new section of the Act to provide for a pre-hearing vote which will accelerate the process of recognition of a bargaining agent.

3. Section 8(1) to be revised so as to give the tribunal broader authority to prescribe "such mediation procedure as the tribunal decides will be most effective to realize a collective agreement." At present, the tribunal is confined to the mediation procedures as set out in the Act.

4. Section 16(2) to be revised to empower an arbitration board to determine the term of operation of an agreement where the parties fail to agree on the term. At present, the board can only award on the basis of a two-year term.

5. Section 42(2) to be changed to provide that an employer that contravenes any provision of the Act is guilty of an offence and on summary conviction is liable to the same fine structure as an employee organization. That is to say, a fine of not more than $5,000 for every day that the contravention exists.

Mr. J. A. Renwick (Riverdale): That's helpful.

Mr. Singer: Who are they going to charge under that?

Hon. Mr. Winkler: I haven't decided that yet.

An hon. member: Not me. The member for Downsview.

Hon. Mr. Winkler: No. 6. New sections to be added to the Act to allow an employee organization to apply to the tribunal for recognition of a change of name, recognition as the successor bargaining agent by reason of a merger or a transfer of jurisdiction and recognition of successor rights where two or more bargaining units are merged. In the case of a transfer of jurisdiction or claim of successor rights, the tribunal would conduct a vote to determine if the employees are in favour of the proposed change.

Turning now to those sections of the Act which have the greatest impact on our bargaining relationship and in which the bargaining agents are most anxious to see some

change, the government is prepared to recommend the following changes:

7. The grievance board and the tribunal to be reconstituted along partisan lines. In both cases, there would be a chairman, one or more vice-chairmen and members, equal in number, representative of employees and employers respectively. The chairman, vice-chairmen and members would be appointed by the Lieutenant Governor in Council following consultation with the representatives of each bargaining agent and each employer.

Mr. S. Lewis (Scarborough West). And if they disagree, who does it?

Hon. Mr. Winkler: 8. The method of appointing the chairman of an arbitration board to be changed. Each party will continue to appoint a member to the board as at present, and the two members so appointed would appoint a third person to act as chairman. If the two members fail to agree on a chairman, the appointment would be made by the tribunal.

9. Section 6 of the Act to be amended so that the following additional matters will be negotiable: Promotion, demotion, transfers, layoffs for lack of work or reappointment of employees, and the classification and job evaluation system.

10. Section 17(1) to be amended to delete those matters that have been added to section 6 and will be further amended to provide that the governing principles of merit system, training and development, appraisal and superannuation will be subject to review by the employer with the bargaining agent.

The change in the method of appointing the chairman of an arbitration board is an important area where there has been widespread criticism of the present Act. The changes proposed in sections 6 and 17 reflect a substantial reduction in the definition of management rights which are now included in the Act. The amendment to section 6 would expand considerably the number of subjects which would be negotiable and arbitrable.

The amendment to section 17 would cover a further range of subjects which, although not negotiable, would be subject to consultation between the two parties. These amendments reflect a genuine desire by the government to have the widest possible scope of bargaining on management rights without abdicating to a third party the government's responsibility to be held accountable for the way it manages the public business.

It will be seen, Mr. Speaker, that the government has honoured the earlier commitments of the Premier (Mr. Davis) and myself to improve our bargaining procedures. It is the hope of the government, Mr. Speaker, that both employer and employee representatives will approach the proposed legislation with the will to ensure that the new procedures will work to the benefit of all concerned.

Mr. E. W. Martel (Sudbury East): This should have been opened up a long time ago.

TRAVEL INDUSTRY REGULATIONS

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): I would like to announce to the House that a new Act will be introduced this afternoon to regulate Ontario's travel industry.

Mr. R. F. Nixon (Leader of the Opposition): We read all about it this morning.

Hon. Mr. Clement: This new Act will initiate a comprehensive system designed to protect the traveller's deposits and provide him with sound information on travel services, and upgrade industry practices.

For some time now, my ministry has been extremely concerned about the irresponsible selling and administrative procedures used by some travel agents and travel wholesalers in the normal course of business.

During the past year, there have been too many cases in which travel agents and travel wholesalers have not had sufficient cash on hand to complete airline or hotel arrangements consumers have already paid for.

Businesses have gone bankrupt leaving travellers stranded abroad or waiting in Ontario airports for charter planes that have never arrived. Travellers have been refused accommodations which should have been paid for but weren't. Many have been tricked by cleverly deceptive advertising about the nature of accommodation, transportation, sponsorship and tantalizing extras.

In the past several months, Mr. Speaker, a thorough examination of the Ontario travel industry has been conducted by my parliamentary assistant, the member for Scarborough Centre (Mr. Drea). The underlying problems have been identified and analyzed. In many cases, the fault does not lie with travel agents themselves but rather in the relationship between agents, wholesalers and airlines.

The conclusion of our review is that no one is acting very effectively for the consumer. This situation must be changed, and the change is bound to be the most effective at the point of sales, where the consumer gets his ticket and his information. This means a change in business methods, Mr. Speaker. Not only is this the most effective method from the consumer's point of view, but also from the standpoint of provincial jurisdiction. We are not in a position to change the rules under which airlines provide equipment for charters but we certainly can do something about the regulation of sales practices.

The problems with the travel industry are legion. Travel agents in Ontario require an appointment from the International Air Transport Association to get the standard commissions and the right to stock tickets for international travel. Inside the United States and Canada, it is the Air Traffic Conference of America which confers agency status. Sponsorship is needed from member airlines, which tends to make agents more responsive to airlines than to consumers.

Competition among airlines for traffic is extremely fierce, Mr. Speaker. Combined with fixed commissions, this competition has created situations inviting breaches of IATA bylaws and federal regulations. The requirements by airlines that agents pay within a maximum of 20 days puts a further financial strain on the agents, which is much more helpful to airlines than to consumers.

Wholesalers such as tour operators have no qualifications to meet at all. Anyone can become a tour operator and package travel and accommodation or create special charter deals.

The registration system administered by the air transport committee of the Canadian Transport Commission has proved quite unable to furnish the consumer with any meaningful protection. Airlines are required to register aircraft rentals for charters but the purpose is to protect the financial position of airlines and not travellers. Recent bankruptcies involving substantial losses to consumers have yielded not one penny of redress under the federal scheme.

Deceptive advertising has become a serious problem which existing provincial and federal statutes can do little to correct because they are neither detailed enough nor sufficiently comprehensive to deal directly with many of the practices in use. While the Business Practices Act will certainly address itself to marketing problems, the specialized nature of the travel industry requires individual attention.

Deposits or down payments from one customer are often used to pay for the ticket or accommodation of another who is departing on an earlier date. Some businesses even use them for rent, salaries or other overhead. Large advance payments required from agents and tour operators can escalate the cash-flow problem. If something goes amiss, the consumer is the one who loses, because there is rarely any money left to compensate him for his loss.

Finally, Mr. Speaker, there is currently no way of knowing the number of agents or wholesalers, how many salesmen they employ or who they are. It is known, however, that in this loose and unstructured environment there are many sideline operators with no bona fide place of business and little financing. Working on commissions and fee-splitting arrangements, these operators have contributed much to a marketplace in which cut-throat competition, half-truths and special deals abound. In a period of air travel instability, these people add a further measure of unwarranted insecurity.

The new legislation I will introduce today will propose five specific measures to strengthen the industry and increase its responsiveness to the consumer.

Firstly, the Act and its regulations will require provincial licensing of all travel agents, their employees and travel wholesalers in Ontario. Registration criteria will include financial position, a regular place of business, information on ownership and adherence to the Act's regulations. It is our intention to include airlines, railways and other carriers as agents when they sell travel services other than their own.

Secondly, each travel agent and travel wholesaler will be required to post a $5,000 bond which will be forfeited if the Act is contravened. We are assured by the bonding industry that this amount is sufficient to ensure stringent investigation of applicants without disqualifying the smaller agents and wholesalers.

Thirdly, regulations will be drafted to require that customers' deposits be protected.

Fourthly, an industry-financed compensation fund will be established for the benefit of customers whose travel funds have been abused.

Finally, Mr. Speaker, travel advertising will be required to disclose the name of the agent or operator as well as important details, such as class or level of service offered, location of accommodation and point of departure from Canada on international flights.

I am certain that these measures will contribute significantly to the professional development of the travel industry. They will pro-

tect the many honest agents and tour operators as much as they will assist the consumer. I look for an early passing of this Act by the House, Mr. Speaker. Proclamation may require some delay to permit bonding, registration and other procedures to be set up, but we intend to press forward with this legislation as quickly as possible.

This new system, Mr. Speaker, will not cost the Ontario taxpayer anything to operate. We intend to make it self-financing. Nor will the new Act add to travel costs. The system will be simple and inexpensive to run. Cost projections for the industry are very low and will certainly pose no hardship.

Some fears may be expressed as to the impact of this Act on small agents and wholesalers. I would like to state in the strongest terms that these fears are unfounded The new Act will not put any reputable agent or wholesaler out of business, large or small. The travel industry has been fully consulted on the development of this Act and we intend to continue this consultation as we draft the regulations. Thank you, Mr. Speaker.

Mr. R. F. Nixon: On a point of order, Mr. Speaker, although no particular damage was done in this instance, I want to object to you, sir, to the growing tendency of ministers to reveal the contents of their legislation to the press before it is presented in this House.

Mr. Speaker: The remarks are noted. The Minister of Housing.

HOUSING PROGRAMMES

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I would like to report to the House today on the signing of four additional agreements under the Housing Action Programme. Recently I released information on the first seven OHAP agreements providing for 3,033 housing units to start by December of this year, 6,933 in 1975 and an additional 1,792 for 1976. A further 2,150 acres of housing land were also included for development starting in 1976.

The four agreements I am announcing today cover the production of a further 636 housing units in Brampton, Ajax and Ottawa. Starts are expected for all these units by the end of fiscal 1974. In Ottawa, two agreements have been entered into with Marvo Construction Ltd. for a total of 167 townhouses; 128 are three-bedroom units with carrying costs of approximately $400 per month. Priced in the $39,000 range, they will be affordable by households with annual incomes of about $16,000—

Mr. M. Cassidy (Ottawa Centre): That is low-income housing?

Hon. Mr. Irvine: —based upon 30 per cent of gross income for carrying costs. The remaining 39 dwellings are four-bedroom units which will be priced at $40,000. These will also carry for incomes in the $16,000 range.

Mr. Cassidy: No low-income housing.

Hon. Mr. Irvine: The Marvo units are within a housing action area designed by the city of Ottawa last August. With the co-operation of the municipality, I expect construction to begin within several weeks.

An agreement has also been reached with Satterthwaite Developments Ltd. in Ajax. These are for 396 condominium apartments. In this project, half of them are two-bedroom and the other half three-bedroom. The two-bedroom units will carry for $390 a month in principal, interest and taxes, indicating an income of about $15,500 for the purchaser.

Mr. Cassidy: That's crazy.

Hon. Mr. Irvine: The three-bedroom units carry for about $413—

Mr. Cassidy: That's just nuts.

Hon. Mr. Irvine: —which corresponds to an income of about $16,300.

An hon. member: That's pretty low in middle-income housing.

Hon. Mr. Irvine: Construction should soon begin on these units. Ajax has passed a resolution in support of the Housing Action Programme.

Mr. Cassidy: So long as people make $16,000 or $20,000 a year, yes.

Hon. Mr. Irvine: The fourth agreement is with Vroom Developments Ltd. covering 73 townhouses in Brampton. Of these, 66 are three-bedroom units ranging in price from $43,000 to $46,000. Carrying costs will vary from less than $430 per month to slightly more than $450 a month, corresponding to incomes in the $17,000 to $18,000 range.

Mr. Cassidy: I haven't got people in my riding who make that kind of money.

Hon. Mr. Irvine: The remaining four-bedroom units are also for household incomes in the neighbourhood of $18,000. Construc-

tion has just begun on the Vroom units and marketing will begin next month.

Mr. Speaker, all of the units covered by these four agreements are priced to meet the $14,500- to $20,000-income range. In keeping with our objectives, all 636 units are family accommodation.

Each of the units carries 10¼ per cent financing from the Ontario Mortgage Corp. for 95 per cent of the selling price. This financing has contributed to substantially lower carrying costs for these 636 units. Our efforts with the developers and the municipalities involved have also helped to accelerate these units onto the market.

It is my intention, Mr. Speaker, to announce further agreements in the near future.

Thank you.

Mr. Speaker: Oral questions.

HOUSING PROGRAMMES

Mr. R. F. Nixon: I have a question of the Minister of Housing, Mr. Speaker. Does the minister really expect us to applaud an announcement whereby he is urging citizens to shoulder responsibility of an investment in housing of about $45,000 at 10¼ per cent? Surely he is providing housing for people who really don't need that sort of assistance, if they are prepared to take on that kind of payment—

Mr. Speaker: Will the member place his question?

Mr. R. F. Nixon: —their incomes must be substantial.

Hon. Mr. Irvine: Mr. Speaker, I'm astounded to hear the Leader of the Opposition say that we shouldn't provide housing for people who can afford housing in the area of $35,000 to $40,000, or approximately that, with today's cost of materials, labour and land.

Mr. Cassidy: The government has allowed the speculation; it has created it.

Hon. Mr. Irvine: We understand full well that certain people with lower incomes have to have rental accommodation, but surely we have to provide housing for all of our people.

Mr. R. F. Nixon: At $445 a month.

Mr. Speaker: Are there any further questions?

Mr. R. F. Nixon: A supplementary: If the minister is really concerned about reducing the cost of housing, why doesn't he persuade the Treasurer (Mr. White) to remove at least a part of the sales tax on building materials?

Mr. Roy: Right, yes; like the minister's federal colleagues were suggesting.

Hon. Mr. Irvine: Mr. Speaker, the Treasurer and I have had some conversations on this. However, I would like to point out to the Leader of the Opposition that, as yet, we are not convinced the lowering of the tax by the federal government will produce the end result of lower housing costs for the people of Ontario.

Mr. R. F. Nixon: Not if there are people in the government encouraging construction companies to sell at these inflated rates.

Hon. Mr. Irvine: When we have that assurance, then we will be able to discuss the matter. But I do not believe the federal government has contributed whatsoever toward the lowering of housing costs.

Mr. Speaker: A supplementary?

Mr. Lewis: Mr. Speaker, if I may, on a supplementary: Does the minister realize that the yearly carrying charges which he just laid out in the House exceed the average annual income of a very large percentage of Ontario families? How the devil does he pretend that is a housing programme for low and moderate income earners? He has carrying charges of $5,400 a year and better.

Hon. Mr. Irvine: Mr. Speaker, I don't believe the leader of the NDP has his figures correct. I would like the leader of the NDP to substantiate that the average income for families in Ontario is around $4,000 or $5,000.

Mr. Lewis: I didn't say that.

Hon. Mr. Irvine: What did the hon. member for Scarborough West say?

Mr. Lewis: I said that the minister's carrying charges on those houses are between $5,000 and $6,000 a year.

Mr. Speaker: Order please.

Mr. Lewis: That exceeds the income of many families in the province.

Mr. Speaker: Order, please.

Mr. Lewis: What is wrong with the minister that he brings in this type of housing programme?

Mr. Speaker: Order; order please. Are there any further questions?

Mrs. M. Campbell (St George): The minister can't answer that.

Mr. D. C. MacDonald (York South): He can't answer it.

Mr. Roy: A supplementary, Mr. Speaker.

Mr. Speaker: One final supplementary; the member for Ottawa East.

Mr. Roy: My supplementary, Mr. Speaker, is pertaining to the reduction of the sales tax on building materials and the answer of the minister. How does he gibe his answer here today with the statement made consistently by his national leader, Robert Stanfield, who has been urging this on the federal government for years?

Hon. W. G. Davis (Premier): Mr. Stanfield has been urging a lot of other things.

Hon. Mr. Irvine: Mr. Speaker, whatever announcements or statements are made in the federal House are of some concern to us, but have no bearing whatsoever on my decision.

Mr. Roy: This government started it.

Hon. Mr. Irvine: We are concerned about the federal government in power right now; and I hope that the federal government will produce more mortgage money, this is where we can get housing for the people of Ontario.

Mr. MacDonald: Does the minister mean that it is perhaps his irresponsibility?

Mr. Speaker: The Leader of the Opposition.

Mr. Cassidy: A supplementary, Mr. Speaker.

Mr. Speaker: No, I said that was the final supplementary. It is developing into a debate. The Leader of the Opposition.

RENT CONTROL

Mr. R. F. Nixon: I want to put another question to the Minister of Housing. What is the point of his repeated sabre rattling about rent control, if he is not going to do anything about it? What does he mean when he says rent increases are unconscionable? If he believes they are unconscionable, why doesn't he do something about it?

Mr. Renwick: The minister is frightened.

Mr. R. F. Nixon: Surely he is simply telegraphing to those people who own apartment facilities now that they had better get their rents up before he does do something.

Mr. J. R. Breithaupt (Kitchener): Why wait for spring; do it now.

Hon. Mr. Irvine: Mr. Speaker, I don't know what news media the hon. Leader of the Opposition has been listening to.

Mr. R. F. Nixon: Why the minister is on every broadcast every day?

Hon. Mr. Irvine: What statement is the hon. Leader of the Opposition attributing to me, in which I said the rent increases are unconscionable? I have said no such thing.

Mr. Lewis: Perish the thought.

Hon. Mr. Irvine: I have said rent increases will be controlled by supply. I have said continually that the federal government has to assist ourselves and the municipal governments in making sure we have a supply. I have said also that rent controls, as we have seen them at work in other jurisdictions, are not practical.

Mr. R. F. Nixon: By way of supplementary, because I think this is an important matter: Perhaps the minister has been incorrectly reported and the minister is not considering it; that is he has not and he will not. The minister is not considering any form of rent control in this province?

Hon. Mr. Irvine: Mr. Speaker, I have said in this House, I have said on other occasions, I am not considering rent controls as the answer to our housing problem.

Mr. I. Deans (Wentworth): How about as the answer to high rents?

Hon. Mr. Irvine: I have also said, and I think maybe that is what the Leader of the Opposition is refering to, I have also said I think it is my duty to investigate cases where there may have been some higher than usual increases in rent.

Mr. R. F. Nixon: What can the minister do about them then?

Hon. Mr. Irvine: The member might be surprised what we have done about it.

Interjections by hon. members.

Mr. MacDonald: Well, tell us.

Mr. Cassidy: Bugger all.

Mr. J. F. Foulds (Port Arthur): If he does anything we'll be surprised.

Mr. Lewis: Tell us about it.

Hon. Mr. Irvine: Mr. Speaker, we are a little different compared with the opposition, we take some action.

Interjections by hon. members.

Mr. Roy: That is obvious.

Hon. Mr. Irvine: Where we have investigated certain cases we have found that some of the rent increases were justifiable.

Mr. Lewis: Oh, yes.

Hon. Mr. Irvine: In other cases the owner has combined with the tenant to have a mutually acceptable rent increase.

Mr. Deans: Where?

Hon. Mr. Irvine: In other cases, we have not been able to see where the tenant has, really, been crucified, as some people have said.

Mr. Lewis: Show us these cases.

Mr. Deans: Where are these cases?

Mr. Lewis: Give us some examples.

Mr. Deans: That is a lot of hogwash.

Mr. Speaker: Any further questions?

The member for Ottawa Centre with a supplementary.

Mr. Cassidy: Thank you, Mr. Speaker. Could the minister please say, if he rejects rent control; and if the housing he is putting on the market is for families earning $16,000 a year; and since there has been no family housing built by OHC in my riding since 1971, what he is doing for the 15,000 or so families in Ottawa Centre and people in many other ridings—

Mr. W. Hodgson (York North): The member has never lived in his riding, how does he know? He has been living on Toronto Island.

Mr. Cassidy: —in similar situations, who have family incomes below the $11,000 a year mark? What is the minister doing for them?

Hon. Mr. Irvine: Well Mr. Speaker, I will assure members of this House and the hon. member I will do everything in my power to make sure that Ottawa and the area which this member represents is represented properly in the future, because I think—

Interjections by hon. members.

Mr. MacDonald: We are talking about housing.

Mr. Cassidy: That is what Pierre Benoit said and look what happened to him.

An hon. member: Don't get upset over there.

Hon. Mr. Irvine: I think if the member has had a problem in housing since the time he has been elected—he has been here for almost three years—surely to goodness he could have brought the problem to the appropriate minister, to the appropriate officials?

Mr. Lewis: If he is minister much longer they'll lose every seat in Ottawa.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Ottawa Centre should have a resident member.

Hon. Mr. Irvine: I think Ottawa has a good track record for housing. Ottawa is one of the places where we have very good municipal acceptance of the fact we do have to have housing affordable to the low-income people.

Mr. Cassidy: Earning under $16,000? Where is it?

Mr. W. Hodgson: How would he know, he's not there?

Hon. Mr. Irvine: And we have built housing in Ottawa for those who can afford to own a home.

Mr. Cassidy: Not a single unit in my riding.

Hon. Mr. Irvine: We have built housing for those who cannot afford to own a home but can rent a home.

Interjections by hon. members.

Mr. Cassidy: Not a single unit has he built that is affordable.

Mr. Speaker: Order, please.

Mr. Cassidy: Not one.

Mr. Lewis: It would appear to me the government has not built one.

Hon. Mr. Irvine: We have built a lot of them.

Interjections by hon. members.

Mr. R. F. Nixon: Did the government call an election last night?

Mr. Speaker: The member for Downsview with a final supplementary on this question.

Mr. Singer: I have a supplementary question for the minister: Following from his remarks of his investigations into rent levels, will he table for us the number of instances of rent that he has investigated, the comments of the landlords, the comments of the tenants; and the basis on which he has come to the conclusions he enunciated a little earlier?

Hon. Mr. Irvine: Mr. Speaker, I will not table that. That is confidential information between myself and the people involved.

Interjections by hon. members.

Mr. Deans: Because it doesn't exist.

Mr. Cassidy: Because it doesn't exist and the minister is a sham.

Mr. Speaker: Any further questions? The Leader of the Opposition.

Mr. Lewis: Well on a point of order, Mr. Speaker, I would like to challenge the minister to table those examples where landlords and tenants have mutually agreed on an acceptable rent.

Interjections by hon. members.

Hon. W. D. McKeough (Minister of Energy): That is not a point of order.

Mr. Lewis: Come on, the minister should substantiate his statement in the House.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. MacDonald: Give one example.

Mr. Lewis: Mr. Speaker, the minister can't make those statements and then say he won't—on a point Mr. Speaker.

Mr. R. F. Nixon: On a point?

Mr. Lewis: If the minister makes a blanket statement and we ask him to document it, he then has to document it as a part of his answer.

Mr. Cassidy: Or withdraw the statement.

Hon. A. Grossman (Provincial Secretary for Resources Development): What rule is that?

Mr. Lewis: It is a new rule.

Interjections by hon. members.

Mr. Breithaupt: It is a point of view.

Mr. Lewis: It is a point of view, exactly!

Mr. Speaker: Order please. The minister may answer any question as he sees fit.

The hon. Leader of the Opposition.

Hon. Mr. Winkler: We'll have to have a rule about those things.

Mr. R. F. Nixon: I would like a further report from the Chairman of the Management Board—

Interjection by an hon. member.

Mr. Lewis: The member sure does talk such claptrap in this House. It's unbelievable, absolutely unbelievable!

Mr. Speaker: Order please. The Leader of the Opposition is posing a question.

An hon. member: The Minister of Housing is up.

Mr. Martel: Outdoor housing.

Mr. R. F. Nixon: The member for Sudbury East has a point there.

CSAO NEGOTIATIONS

Mr. R. F. Nixon: Now that the minister has said that he has put his total offer before the civil service and has now indicated specifically what amendments are being considered to the Crown Employees Collective Bargaining Act, will he indicate at what status the negotiations are? Are they being carried on? Will they be commenced again on Monday? What is the expectation?

Hon. Mr. Winkler: Mr. Speaker, in the course of negotiations this morning we put certain proposals, as outlined, before the CSAO. We hope to forward to their offices today a further draft of what we intend to do in regard to the Act. We will make an arrangement to hear their response.

Mr. R. F. Nixon: Supplementary, Mr. Speaker: Was the minister's statement made late in the afternoon of last Tuesday I believe, to be understood as the final offer on the part of the government? There were phrases in it that would indicate that, but is he prepared to continue negotiations on, let's say the money aspect?

Hon. Mr. Winkler: I think, Mr. Speaker, that I made it very clear. I said Management Board had placed their mandate on the table with the CSAO.

Mr. Deans: What does that mean?

Hon. Mr. Winkler: The total financial mandate. Within that mandate we were prepared to consider refinements, but that was where the negotiations ceased.

Mr. Lewis: That's the total package?

Mr. Speaker: The hon. member for Nickel Belt with a supplementary.

Mr. F. Laughren (Nickel Belt): Mr. Speaker, in conjunction with the proposed amendments to the Crown Employees Collective Bargaining Act, is it the intention of the Chairman of the Management Board at the same time to make amendments to the Public Service Act to give civil servants the right to participate in the political process in Ontario?

Mr. Cassidy: Hear, hear!

Hon. Mr. Winkler: No, Mr. Speaker, that is certainly a different issue, that we haven't discussed. I would like to comment further that we have a meeting scheduled for Monday night.

Hon. Mr. Grossman: Why not leave that to the negotiators?

Mr. MacDonald: It's a civil right. They shouldn't have to negotiate for it.

Mr. Speaker: A final supplementary from the hon. member for Rainy River.

Mr. T. P. Reid (Rainy River): Mr. Speaker, I would like to ask the minister if he discussed with the CSAO the item concerning the right of the CSAO to strike, and if he is going to have that in the proposed amendments?

Hon. Mr. Winkler: Mr. Speaker, it was discussed. It was one of the items the government does not intend changing the Act on.

Mr. Speaker: Does the Leader of the Opposition have further questions? The hon. member for Scarborough West.

Interjection by an hon. member.

Mr. Speaker: Order please. The member for Scarborough West has the floor.

Mr. Lewis: I have a question of the Chairman of the Management Board that will probably open up supplementaries in this field. What possible reason does he have to take superannuation out of the formal bargaining process?

Hon. Mr. Winkler: Well, Mr. Speaker, it hasn't been in; we are just retaining our position.

Mr. Deans: Why doesn't he include it?

Mr. Lewis: Why then is the minister so deliberately, in his introduction of amendments, avoiding those items which he knows to be central to the position of the CSAO? The right, for instance, to have a chairman of the arbitration board selected by the chairman of the Ontario Labour Relations Board, rather than the minister's tribunal which he controls; and the right to bargain superannuation, for example? He knows it will founder on these things; why does he deliberately provoke them?

Hon. Mr. Winkler: Well we don't believe it will, but we negotiate on those matters.

Mr. Speaker: Any further questions?

NAPANEE INDUSTRIES

Mr. Lewis: A question, if I may, of the Minister of Labour: Can the Minister of Labour explain what he will do in the case of Napanee Industries, which closed down in July of 1974? The employees have a valid claim for vacation pay and termination pay, but because the firm is insolvent they have received neither, and have no hope of receiving either, despite the fact that vacation pay supposedly is held in trust. And the minister's representative writes: "I can be of no assistance whatsoever to you in this matter."

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, as I understand it, if they have depleted the trust funds that they are supposed to hold in trust, then there is little or nothing we can do about it. That gets back to the old question of bankruptcy again. If there are assets there, I think the trust funds would have the first claim on the assets; that's my understanding.

Mr. P. D. Lawlor (Lakeshore): Take criminal proceedings.

Mr. MacDonald: What about proceedings under the Criminal Code?

Mr. Lewis: Wages for termination pay is one thing, but how many instances involving vacation pay which was to be held in trust will the minister allow to be forfeit before he defends the workers of the province against the behaviour of individual corporations which apparently violated the law?

Hon. Mr. MacBeth: Mr. Speaker, as we've said on many occasions, the bankruptcy law, being federal law, takes over as soon as the company becomes insolvent.

Mr. Lewis: Not for vacation pay it doesn't.

Hon. Mr. MacBeth: That doesn't permit us, at that time, to say how the trustees in bankruptcy will handle these various claims.

Mr. Cassidy: What representations does the minister make?

Hon. Mr. MacBeth: It's not exactly the same, but similar to the case where somebody absconds with funds. If the funds aren't there we have no place to get them from.

Mr. Foulds: That's exactly what they are doing.

Mr. Deans: Supplementary.

Mr. Speaker: Supplementary.

Mr. Deans: Has the minister ever considered reverting to a system used in years gone by where the employer purchased vacation stamps on a monthly basis for employees and they were cashable at any chartered bank?

Hon. Mr. MacBeth: Mr. Speaker, as you know, that was in effect at one time; and I might tell the House there are a fair number of employment stamps that have never been redeemed.

Mr. Deans: That's fine.

Hon. Mr. MacBeth: They are still there and are available for redemption, if the people who hold them want to come forward. But it didn't work that well either.

Mr. Deans: It guarantees the money.

Hon. Mr. MacBeth: We can give consideration to reverting to it. I am alarmed, as is the opposition, by the number of claims that are presently coming forward, mainly because of the economic situation, where the protection that we have tried to give the worker is not being effective. Certainly the opposition is pounding this home with me, as rightly they should do.

Mr. Lewis: That's right.

Mr. Deans: And the minister's predecessor and his predecessor and his predecessor.

Hon. Mr. MacBeth: I am not so sure there have been that many cases up until quite recently.

Mr. Martel: Throw a few of them in jail and let them rot.

Hon. Mr. MacBeth: We have suggested to the federal government they should cover the matter of holiday pay and some of these other things by way of an additional levy on the unemployment insurance fund. They have the machinery and are in the business now and bankruptcy, as I say, is by the BNA Act clearly their responsibility.

It is under review and that's all I can say. I don't think we want to go to the British Columbia system. I still feel that will be upset if it is challenged in the courts.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: By way of a new question or final supplementary, would the minister look carefully at a bill that I am introducing today on the protection of wages in the case of receivership or bankruptcy. It may contain an answer.

Hon. Mr. MacBeth: Mr. Speaker, I certainly will.

HOUSING SHORTAGES IN GRIFFITH MINE AREA

Mr. Lewis: May I ask the Minister of Housing: Is there anything he can do to relieve the extraordinary housing shortages experienced by the small northwestern communities of Ear Falls and Red Lake as a result of the pressures for employment at the Griffith Mine and the Griffith Mine expansion?

Hon. Mr. Irvine: Mr. Speaker, we are determining what we can do for northern communities which have experienced increased demands for housing because of certain industrial expansions. There are other communities which are under our investigation at the present time. I haven't got an answer on this particular date but I hope to be able to give the member what we may do for those two communities.

Mr. Lewis: Okay, I appreciate that.

Mr. Speaker: Any further questions?

Mr. Lewis: By way of supplementary, could the minister also raise the matter of water and sewage systems for those communities, which is holding up development? Since we have managed to find $200 million to serve Metropolitan Toronto, perhaps we could find a few thousand to serve northwestern Ontario.

Hon. Mr. Irvine: I'll look into it, Mr. Speaker. I might add another community that is facing the same pressures is Matachewan, and we are acting again.

Mr. Lewis: It is really a crisis for them.

BELL DIRECTORY ASSISTANCE CHARGES

Mr. Lewis: I have one last question of the Minister of Community and Social Services. Is he aware that his director of the provincial benefits branch sent out a memo to district directors, field supervisors, supervisors and field workers dealing with directory assistance charging and the requests for information from operators at Bell Canada which might be placed by handicapped and elderly persons expressing the wish to find exemptions for those persons. In the process of the memorandum it was indicated that applications for exemption have to go to Bell Canada; that the reason for the application has to be stipulated, that is the nature of the disability; and that a physician, clergyman or other person in a reputable post has to sign it. Does the minister think it appropriate that the government of Ontario should be giving private information to a corporation like Bell Canada about those who are handicapped or elderly for the purpose of such exemptions

Hon. R. Brunelle (Minister of Community and Social Services). Mr. Speaker, I wasn't aware of that directive; I will certainly look into it and I will have a reply for the hon. member tomorrow morning.

Mr. Lewis: Thank you very much.

Mr. Speaker: The Minister of Colleges and Universities has the answer to a question which we will receive now.

GEORGIAN COLLEGE

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, last week the Leader of the Opposition asked me a couple of questions. One was, would I look into the circumstances surrounding the awarding of a contract to Kemp Bay Developments Ltd. for the construction of a major building at Georgian College's Barrie campus at a time when the president of Kemp Bay Developments, Mr. Horace Pratt, was also a member of the board of governors of Georgian College?

Mr. Speaker, I looked into this and I understand that in early 1972, Georgian had to acquire additional space. They were interested in acquiring this space on the property opposite the main campus, on the other side of the road, which was known as the Bell farm and owned by Kemp Bay Developments Ltd. While Mr. Pratt was on the board, the board discussed the rental of this property and were in touch with us; they were advised by us that in order to deal with Kemp Bay Developments Ltd., Mr. Pratt should leave the board.

Mr. Pratt resigned from the board of governors on June 10, 1972. Subsequently, on Sept. 1, a contract was signed by the board with Kemp Investments for the rental of the property and the building which was constructed—

Mr. R. F. Nixon: Was it a leaseback?

Hon. Mr. Auld: —at a rate of $2.95 a square foot, excluding municipal taxes, which works out to $3.43 a square foot, including taxes, for a 10-year period. Mr. Pratt was not a member of the board when the contract was signed or in the final months when negotiations were completed.

The Leader of the Opposition also asked me to look into the resignation of Mr. Bootle, who was the dean of health sciences at the Orillia campus of Georgian College. I indicated on Tuesday that I understood it was an internal matter, and it is. I understand that Mr. Bootle resigned because he felt the financial strictures which the board was enforcing on the whole college operation were too severe and that he couldn't work within them. I am told he did an excellent job when he was with the board, and it was strictly a disagreement on college policy which led him to resign.

Mr. R. F. Nixon: A supplementary: Was the minister made aware during his investigation of the feeling, at least of those who are active at the teaching level and the organizational level, that the advisory committees established across the community, particularly in the allied health services and more particularly nursing education, had been ignored by the administration of the college and that it is Mr. Bootle's feeling there ought to be a thorough investigation into those administrative practices?

Hon. Mr. Auld: Mr. Speaker, I was informed that the original advisory committee set up at the time the Orillia campus was formed was set up on the same basis as advisory committees on other satellite cam-

puses. When the college decided to put its main effort in the allied health service training field in Orillia, the college board decided —and I can see why they would—to restructure the board to have it deal more with allied health sciences and less with the whole college programme.

Mr. Laughren: A supplementary.

Mr. R. F. Nixon: A further supplementary, if I could just finish on this. In the minister's investigation, was he made aware of the concerns expressed by members of the staff, and others in the community, that the architects who had the contract for the very important and expensive development of buildings there were themselves members of the board of the Kemp Bay Developments Ltd. and that there seemed to be sort of a family compact associated with the decisions for the expansion of the whole of the Georgian College leading to, let's say, a depreciation or an eroding of the confidence in the board in the area?

Hon. Mr. Auld: I am not aware of that, Mr. Speaker. I understand that the office of the Leader of the Opposition called the ministry to get details on the construction that was being done at Georgian College and the architects that have done the work, and I understand that information has been sent to him.

Mr. R. F. Nixon: But not the information that they were, in fact, members of the board of Kemp Construction.

Hon. Mr. Auld: I wasn't aware of that, but I understand the way the board selects its architects—architects apparently by their own code are not allowed to solicit business—is that it inquires of architects in the area, and I believe in most cases it has found four or five who were competent to do the kind of work which the board wanted. It has received submissions from those firms and then decided, on the basis of preliminary submissions, which firm it would employ.

Mr. Speaker: The hon. member for Simcoe East has a supplementary.

Mr. G. E. Smith (Simcoe East): Supplementary question, Mr. Speaker, of the minister: Can the minister assure me that the programmes that are relative to the ancillary health services which were instituted by Mr. Bootle at the Orillia campus of Georgian College will continue uninterrupted?

Hon. Mr. Auld: Mr. Speaker, the president of the college has confirmed that to me.

Mr. Speaker: A final supplementary from the hon. member for Nickel Belt.

Mr. Laughren: Thank you, Mr. Speaker. In view of the administrative problems, such as those occurring at Georgian College, that continue to beset the colleges of applied arts and technology in the province, would the minister be willing to establish a committee of sorts, an independent committee, to review the administrative practices of the various colleges across the province? Further to that, in view of the failure of the Council of Regents to provide the proper kind of direction to the colleges, would he be willing to abolish the council?

Hon. Mr. Auld: I'm sorry, I didn't hear the last part of that question?

Hon. Mr. Grossman: That was a question?

Mr. Laughren: Would the minister also be willing to abolish the Council of Regents?

Hon. Mr. Auld: I can answer that very simply: No.

Mr. Speaker: The hon. member for Ottawa East with a new question.

OHC LAND PURCHASES IN OTTAWA AREA

Mr. Roy: Mr. Speaker, a question of the Minister of Housing: When he answered my question of Nov. 26 on Friday, Nov. 29, dealing with the purchase of property by Ontario Housing from Assaly for $273,000, why didn't he advise the House that Ontario Housing had been offered this property back in 1970 and 1971 for the price of $35,000? Why did the minister not tell us that he had information on his file—No. P1004, general file? Why didn't he give us that information?

Hon. Mr. Irvine: Mr. Speaker, there is nothing to hide about that. If we were offered the property, obviously we didn't need it at that time.

Mr. Roy: Oh, supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Roy: Would the minister advise us, pertaining to his answer again, was he aware that at the time that Assaly put an option on the property in July 1971, that the information about the property being up for sale and that Ontario Housing was interested in the property had been given to the Ottawa Board of Education, and that Tom Assaly, the president of that corporation, was a trustee on the board of education and that he'd heard about this information? Was the minister aware of that conflict of

interest; and if he was, why didn't he advise us of that?

Mr. Martel: Shame.

Hon. Mr. Irvine: Mr. Speaker, I advised the House of all the relevant details in regard to that transaction.

Mr. Martel: That's his opinion.

Interjections by hon. members.

Hon. Mr. Irvine: As to what position Mr. Assaly had at that time, or what he has at the present time, I don't think it is relevant whatsoever.

Mr. Speaker: The hon. member for High Park with a new question.

Mr. Roy: Mr. Speaker, I have one short supplementary on this.

Mr. Speaker: We are running short of time. The hon. member might pursue this later. The hon. member for High Park.

SEAFARERS' INTERNATIONAL UNION

Mr. M. Shulman (High Park): A question of the Attorney General, Mr. Speaker: Is the minister aware of the meeting that took place last night at the SIU hall on King St.? Is he aware that at that meeting Mr. Roy Willis announced that the SIU was passing a new bylaw which would make it an offence for any member of the SIU to give information about the SIU to any outside person? And what is he going to do to protect the civil liberties of the members of the SIU?

Mr. R. F. Nixon: Guns for them all.

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, the answer to the first question is no; and to the second question, no. Until such time as I'm appraised of the information, I would have no further comment.

Mr. Shulman: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Shulman: Does the Attorney General not have some contact within the SIU to keep track of what's going on down there?

Interjections by hon. members.

Hon. Mr. Welch: The answer is no.

An hon. member: How about the civil liberties?

Hon. Mr. Rhodes: The federal government is responsible.

Mr. Speaker: The Minister of Housing has the answer to a question.

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, on Nov. 19 last, the hon. member—

Mr. Speaker: Order, please. I announced the Minister of Housing, but I also know the Minister of Revenue has the answer to a question, if he would—

Hon. Mr. Meen: Oh I'm sorry, Mr. Speaker. I thought you had requested me.

Mr. Speaker: It doesn't matter which one is first. The Minister of Revenue then.

LAND SPECULATION TAX

Hon. Mr. Meen: Thank you, Mr. Speaker, I will start again.

On Nov. 19 last, the hon. member for Ottawa East asked me a question with respect to our position on the land speculation tax rate, bearing in mind the federal government's intransigent position on this matter.

The issue, of course, is whether our land speculation tax is deductible for federal tax purposes. Through recent federal public statements and a telephone conversation I have had with the Minister of Finance, the hon. John Turner, and now confirmed by letter, it has become clear that the federal government does not intend to allow such a deduction in computing federal taxes.

Mr. MacDonald: The minister was told that last spring.

Hon. Mr. Meen: I still believe that Ontario is on firm legal ground in its case for deductibility.

Mr. Lewis: But the minister won't challenge him in the courts?

Hon. Mr. Meen: For very pragmatic reasons, however, it is not advisable to proceed with litigation. If we were successful, and I believe that we would be—

Interjections by hon. members.

Mr. Lewis: Remember, the minister took his shoe off and banged it on the desk and said he would challenge them in the courts —and left for the Middle East.

Hon. Mr. Meen: The federal government could simply amend the federal tax statutes

to effectively reverse the court's decision to disallow the tax as a deductible item.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Meen: I might add, they have indicated that this is precisely what they would do. In view of these circumstances, an alternative solution had to be found. Accordingly, and in keeping with our undertaking expressed on many occasions in the past that the speculation tax, when taken together with income and capital gains taxes, would not be confiscatory, I will be introducing today appropriate amendments to the Land Speculation Tax Act to reduce the rate of tax to 20 per cent and to provide for the payment of interest on refunds at the rate of seven per cent.

I would point out, Mr. Speaker, that the rate of 20 per cent is the rate of land speculation tax that, coupled with the federal government's position of non-deductibility, will result in the highest rate of combined taxes paid by individuals remaining at the figure of 81 per cent shown in the example contained in the Treasurer's budget statement of last April 9.

Mr. Speaker: The member for Rainy River.

SEAFARERS' INTERNATIONAL UNION

Mr. Reid: Mr. Speaker, I have a question of the Solicitor General.

Without downgrading the importance of the matter relating to the SIU and various politicians, is the minister not concerned, and has he ordered an investigation into how the member for High Park came into this kind of information, for example the tapes that I understand are confidential information?

Mr. Lewis: Here we go.

Mr. MacDonald: He is trying to confuse it —he and Munro.

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, I do have some concern about that. I have asked the Ontario Provincial Police and the group that are investigating the SIU to see if they can ascertain that information.

Mr. Lewis: Investigate the member for High Park?

Mr. Roy: Is the member for High Park going to take a lie detector test?

Mr. Lewis: The member didn't have the guts to say it in his presence.

Mr. Speaker: The hon. member for Wentworth.

HAMILTON HARBOUR INVESTIGATION

Mr. Deans: Mr. Speaker, I have a question of the Attorney General.

Can the Attorney General tell the House whether the inquiries into the Hamilton harbour episode, which has resulted in the hearing at the present moment of one Kenneth Elliott, have been completed; and whether there are other charges pending as a result of the information made available at the preliminary inquiry?

Hon. Mr. Welch: I think, Mr, Speaker, that the hon. member will understand if I say I am not in a position to share much information with respect to that at the moment. Sufficient to say that as he knows, some charges have been laid, or rather each charge laid has been processed and that matter has now been put over to another court. Perhaps it is sufficient to say at this stage that we are watching those particular proceedings with some interest in light of the general investigation that was part of the preliminary work prior to the laying of that one particular charge.

Mr. Deans: A supplementary question?

Mr. Speaker: One supplementary.

Mr. Deans: Are there other charges pending as a result of the information made available at the preliminary inquiry?

Hon. Mr. Welch: Not as of this afternoon.

Mr. Speaker: Now the Minister of Housing with an answer to his question.

FUNDING OF OHAP

Hon. Mr. Irvine: Thank you, Mr. Speaker. The member for Scarborough West asked on Nov. 26:

> Am I right, in looking at Ontario finances for Oct. 31, 1974, that the allocation projected for OHAP has been reduced from $15 million to $8 million?

OHAP funding has been reallocated, not reduced; $4.5 million has been transferred to the Ministry of the Environment for the central York-Durham servicing scheme.

In this connection, members will note that water treatment and pollution control facilities—the first item in table 5 of Ontario finances—has been increased by this amount. That's the sort of project we want to assist in order to bring housing on stream. We expect 20,000 additional units in the next three years alone.

A total of $2.45 million has been shifted to transfer payments and consequently no longer appears under the heading of non-budgetary disbursements and charges. This includes $1.65 million for housing incentive grants and $800,000 for housing study grants.

These funds appear under the Ministry of Housing's total for budgetary expenditures, Table 3 in "Ontario Finances." So the $7 million difference reflects only a reallocation within our OHAP programme objectives and not a reduction.

Resources allocated to OHAP are now as follows: Administration $500,000, a budgetary expenditure; Housing Action fund including housing incentive grants $6 million, a budgetary expenditure; housing study grants $800,000, a budgetary expenditure; infrastructure loans $8 million, non-budgetary disbursements and charges. The total is $15.3 million.

If one adds this to the $4.5 million for funds transferred to the Ministry of the Environment, the total is $19.8 million—the same total that appeared in our 1974-1975 estimates.

Mr. Speaker: The member for Huron-Bruce.

SOLID WASTE DISPOSAL

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of the Environment. Since the ministry's solid waste task force report is complete, when will he table that report?

Hon. W. Newman (Minister of the Environment): Shortly.

Mr. Gaunt: In the next week?

An hon. member: Or the next?

Hon. Mr. Grossman: Shortly, if not sooner.

An hon. member: Before the end of the session.

An hon. member: Along with the model noise bylaw.

Hon. W. Newman: Hopefully very soon.

Mr. Gaunt: Oh, hopefully.

Mr. Speaker: The member for Yorkview.

Mr. Gaunt: A supplementary, Mr. Speaker.

Mr. Speaker: Order please. A short supplementary.

Mr. Gaunt: I hesitate after that. Anyway, is the minister considering any legislation dealing with the problem as outlined in the report having to do with disposable packaging and the problems which it creates in the environment?

Hon. W. Newman: I will be making some comments at the time I table the report.

Mr. Roy: The minister is very helpful.

Mr. Breithaupt: He is learning very well.

Mr. Speaker: The member for Yorkview.

INQUIRY INTO DUMP TRUCK OPERATIONS

Mr. Young: Mr. Speaker, I have a question of the Minister of Transportation and Communications. In view of the recent convention of the Ontario Truckers Association calling for a public inquiry into the dump truck industry, thus backing up the request of the aggregate haulers last spring during the time of the demonstration here, is the minister seriously considering now an inquiry into the dump truck industry in Ontario?

Hon. Mr. Rhodes: Mr. Speaker, that particular subject is being considered in the ministry at the present time. We're looking at what possibilities there are. I can't say anything further at this time.

Mr. Speaker: The member for Waterloo North.

OBSTRUCTION OF HIGHWAY 401

Mr. E. R. Good (Waterloo North): I have a question of the Minister of Transportation and Communications. Is the minister aware that the construction opposite the international airport on Highway 401, when it reduces the traffic to one lane as it did this morning, ties up the traffic for at least 10 miles along the 401, so that it takes about 40 minutes to get through?

An hon. member: The member darned near missed caucus.

Mr. Good: Would the minister instruct the construction company to post signs at the Highway 10 and Dixie intersections warning

that there is construction ahead so that people could use alternate routes, if possible?

Hon. Mr. Rhodes: Mr. Speaker, I was not aware of that problem.

Mr. Good: It happens daily.

Mr. R. F. Nixon: It happened to me yesterday.

Mr. Roy: One couldn't make it through without the blue machine.

Mr. Breithaupt: It goes under water.

Hon. Mr. Rhodes: If we can facilitate the movement of traffic by signs, then of course we can do that.

I'm sorry, Mr. Speaker, I missed that comment but it probably wasn't very appropriate anyway.

Mr. Roy: Oh, yes, it was.

Mr. Good: Will the minister do something about that?

Hon. Mr. Rhodes: Yes.

Mr. Good: Okay.

Mr. Speaker: The member for Port Arthur.

STARRATT-OLSEN POWER SUPPLY

Mr. Foulds: I have a question of the Minister of Energy. Has his colleague, the Minister of Natural Resources (Mr. Bernier), been in contact with him since I raised the question on Tuesday about the cutting off of power to the township of Starratt-Olsen today? Why has Ontario Hydro not assumed the responsibility for the power line to Starratt-Olsen for the past year when the Madsen Company has offered it to Ontario Hydro for $1?

Hon. Mr. McKeough: Mr. Speaker, answering the last part first, some things are not worth $1.

Mr. Roy: Specify.

Hon. Mr. McKeough: Yes, he has been in touch with me on a number of occasions, and I saw a memorandum this morning such that I thought the Minister of Natural Resources had the matter very much in hand.

Mr. Foulds: A supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Foulds: Is the minister saying that it is not worth $1 to this government to keep power going to the pump at Starratt-Olsen so the homes and the water supply will not freeze up over the winter?

Hon. Mr. McKeough: That, Mr. Speaker, is not what I said.

Mr. Deans: Exactly what did the minister say?

Mr. Lewis: There are 25 families involved. These aren't farmers in Kent county.

Hon. Mr. McKeough: That company has certain obligations, and I don't know whether they should be let off the hook for $1. The people over there are such friends of business that they want to let everybody off the hook for a dollar. We just don't do business that way over here.

Mr. Lewis: We tried to find a tax exemption but we couldn't locate one.

Mr. Speaker: The member for Kent.

TASK FORCE ON INDUSTRIAL TRAINING

Mr. J. P. Spence (Kent): I have a question of the Minister of Colleges and Universities. Is the minister planning to implement the recommendations of the task force on industrial training which says it should be carried out in industry and on the job rather than in our secondary schools and community colleges and that the employers be paid by the government to carry out these studies?

Hon. Mr. Auld: Mr. Speaker, I trust I heard the hon. member's question. If he was referring to the task force that reported last fall, we have indicated to the general public and to the various interests which are involved that we wanted their comments. We asked them originally to let us have them by the end of November. There were a number who asked for further time and we now hope to have all the comments in by the end of this month and to collate and study them. I will probably have some comments sometime in the new year once this has been done.

Mr. Speaker: One supplementary.

Mr. Spence: Is the minister aware there is a severe shortage of skilled personnel in the rural areas, such as carpenters, bricklayers and plumbers, and is his department doing anything to correct this situation?

Hon. Mr. Auld: Yes, Mr. Speaker, I am aware there are shortages of a number of skills in pretty well all parts of the province.

Mr. Speaker: The member for Wentworth.

CONDITIONS IN NURSING HOMES

Mr. Deans: I have a question of the Minister of Health. Recognizing that there is still some rather serious allegations being made in Hamilton about the operation of nursing homes, in spite of the letter the minister sent to me, and in spite of his communication with the chairman of the regional council, would the minister please go into Hamilton and speak to the people who are making the allegations in order that all nursing homes not be painted with the same black brush?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I won't necessarily go personally but I would be pleased to ask my parliamentary assistant to do that since he is looking after nursing homes.

Mr. Deans: A supplementary question.

Mr. Speaker: One supplementary.

Mr. Deans: Would the minister arrange that he should meet with the medical officer of health, Dr. Cunningham, and see whether an arrangement couldn't be made whereby they might do additional inspections over and above those being done by the ministry?

Hon. Mr. Miller: I will be glad to talk to the medical officer of health. The present inspection requirements are that they be done by our ministry. We'll be glad to get advice from him, but I am afraid the inspections would be done by us at this time.

Mr. Speaker: The member for Huron.

EGG SUPPLY

Mr. J. Riddell (Huron): Thank you, Mr. Speaker, I have a question of the Minister of Agriculture and Food. What kind of games are we playing in the egg business in Ontario? Why is there a short supply of eggs at the present time when a week or so ago there was such a surplus that the farmers were taking a 16½ cent a dozen loss on the eggs? And why are we trying to get permission to import eggs from the States when surely there must be eggs in the other provinces across Canada?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I will have to take the question as notice. I haven't any idea.

Mr. Speaker: The member for Sudbury East.

BENEFITS TO AUTO ACCIDENT VICTIMS

Mr. Martel: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations.

Mr. Roy: How come the minister has egg on his face?

Mr. Speaker: Order, please, the member for Sudbury East has the floor.

Mr. Martel: Will the minister investigate why those injured in auto accidents are having such difficulty in getting weekly benefits paid to them and why it is necessary for the legal people acting on behalf of those injured to provide a great deal of unnecessary information?

Hon. Mr. Clement: Yes, Mr. Speaker. If the hon. member has any instances in mind I would be more than pleased, if not obligated, to look into them. As the member knows, under the plan which has been in effect, I believe, for nearly three years, one is entitled to medical payments during the period of disability arising out of the accident and that liability is a responsibility of the insurer of that particular victim. If that is the situation to which the hon. member alludes, I will be more than pleased to look into it, if he will give me the particulars.

Mr. Martel: Yes, I will do that. Would the minister look into the cases of a young man whose wife and daughter were killed in October—

Mr. Speaker: Perhaps the hon. member could give the information to the minister.

Mr. J. M. Turner (Peterborough): Just send him a note.

Mr. Speaker: The time for oral questions has expired.

Petitions.

Presenting reports.

Hon. Mr. Snow presented the auditor's report of the public service superannuation fund for the year ended March 31, 1974, and the annual report of the Ministry of Government Services for the fiscal year ended March 31, 1974.

Mr. J. A. Taylor, from the standing administration of justice committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 136, An Act to amend the Land Transfer Tax Act, 1974.

Your committee recommends that it be allowed to sit concurrently with the House, commencing Monday, Dec. 9, 1974, to consider Bill 55, An Act to prohibit unfair Practices in Sales to Consumers.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Mr. Speaker: Motions.

Introduction of bills.

INDUSTRIAL SAFETY ACT

Hon. Mr. MacBeth moves first reading of bill intituled, An Act to amend the Industrial Safety Act, 1971.

Motion agreed to; first reading of the bill.

Mr. Martel: Is the minister taking over mining?

Hon. Mr. MacBeth: Not yet.

Hon. Mr. MacBeth: Mr. Speaker, this bill repeals the Loggers' Safety Act and makes the Industrial Safety Act, 1971, applicable to logging operations.

Mr. Martel: Why not to mining?

Hon. Mr. MacBeth: On April 1, 1972, responsibility for loggers' safety was transferred from the then Ministry of Lands and Forests to the Ministry of Labour. Responsibility for the administration of the Act was assigned to the industrial safety branch and its inspectors have been administering the Loggers' Safety Act in conjunction with their other duties under the Industrial Safety Act.

By incorporating logging operations into the Industrial Safety Act we will ensure that there are safety standards which are compatible as between logging and other types of industrial activities. This is particularly desirable in respect of those employers of sawmills and paper mills which already are covered by the Industrial Safety Act in respect to operations other than that of logging.

The substance of the amendments contained in this bill has been fully discussed with and has the concurrence of the Labour Safety Council, representative of management and labour.

MUNICIPALITY OF METROPOLITAN TORONTO ACT

Hon. Mr. White moves first reading of bill intituled, An Act to amend the Municipality of Metropolitan Toronto Act.

Motion agreed to; first reading of the bill.

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, this bill includes a number of minor amendments.

Hon. Mr. Clement: Age before beauty, Mr. Speaker.

TRAVEL INDUSTRY ACT

Hon. Mr. Clement moves first reading of bill intituled, An Act to regulate the Business of selling and dealing in Travel Services.

Motion agreed to; first reading of the bill.

Hon. Mr. Clement: I have no further comments regarding this bill at this time, Mr. Speaker.

Mr. Speaker: The Solicitor General.

FIRE DEPARTMENTS ACT

Hon. Mr. Kerr moves first reading of bill intituled, An Act to amend the Fire Departments Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Kerr: Mr. Speaker, the amendment provides the Statutory Powers Procedure Act will not apply to arbitration proceedings under the Fire Departments Act.

POLICE ACT

Hon. Mr. Kerr moves first reading of bill intituled, An Act to amend the Police Act.

Motion agreed to; first reading of the bill.

Mr. R. F. Nixon: That fellow's name is Meen; Meghen is another friend of the Solicitor General's.

Hon. Mr. Kerr: Yes.

An hon. member: Don't be mean to Meen.

Mr. Roy: What's that going to do, take the judges off police commissions? No?

An hon. member: That's a radical step to take.

Mrs. Campbell: That's too radical.

Hon. Mr. Kerr: Mr. Speaker, the bill provides for assistance to immediate dependents of members of the OPP who die in the course of duty.

LAND SPECULATION TAX ACT

Hon. Mr. Meen moves first reading of bill intituled, An Act to amend the Land Speculation Tax Act 1974, No. 2.

Motion agreed to; first reading of the bill.

Mr. Martel: That is entitled the Retreat from Moscow bill.

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Kerr: John Turner's bill.

Mr. Roy: John Turner's bill! The minister has to blame it on somebody.

Hon. Mr. Meen: Mr. Speaker, as I indicated during the question period, this bill reduces the rate of land speculation tax provided for in subsection 1 of section 2 of the Act from 50 per cent to 20 per cent and makes the reduction effective April 9 last, the date on which the Act itself took effect.

Provision is also made to refund any tax paid in excess of the rate of 20 per cent and to pay interest at seven per cent on the refunds.

In addition, section 6 of the Act which deals—

Mr. Roy: Seven per cent? Do we get seven per cent?

Hon. Mr. Meen: —with artificial reductions of tax is to be altered to make that section applicable to artificial or undue reductions of the proceeds of disposition. This will prevent the avoidance of tax imposed—

Mr. Roy: Do we get seven per cent?

Mr. Speaker: Order please.

Hon. Mr. Meen: —by subsection 2 of section 2 of the Act.

CORPORATIONS TAX ACT

Hon. Mr. Meen moves first reading of bill intituled, An Act to amend the Corporations Tax Act 1972.

Motion agred to; first reading of the bill.

Mr. Roy: When is the minister going to listen to the opposition?

Mr. Lawlor: He's already done that once this session.

Hon. Mr. Kerr: He tells me he's got more money than he has—

Mr. MacDonald: We must be in the last week of the session; 12 new bills in one day.

Hon. Mr. Meen: I knew somebody would say that.

Mr. Roy: Good advice and it was free advice.

Hon. Mr. Meen: Mr. Speaker, very shortly, this bill provides the tax imposed under the Land Speculation Tax Act 1974 will not be deductible in computing the income of the corporation.

Mr. MacDonald: Making a virtue of necessity.

Mr. Roy: Has the minister fired the people who gave him advice?

LEGISLATIVE ASSEMBLY ACT

Hon. Mr. Snow moves first reading of bill intituled, An Act to amend the Legislative Assembly Act.

Motion agreed to; first reading of the bill.

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, the amendments to this bill implement certain recommendations of the second report of the commission on the Legislature.

Mr. Speaker: The member for Scarborough West.

PROTECTION OF WAGES IN BANKRUPTCY OR RECEIVERSHIP

Mr. Lewis moves first reading of bill intituled, An Act to provide for the Protection of Wages in Bankruptcy or Receivership.

Motion agreed to; first reading of the bill.

Mr. Lewis: Mr. Speaker, as you can guess, this bill simply gives employees priority over all other creditors, including the Crown in right of Ontario, for all arrears of wages when an employer goes into bankruptcy or receivership. It sets up the administrative apparatus and encompasses termination pay, since ter-

mination pay is part of the definition of wages in the Employment Standards Act.

Mr. Speaker: Orders of the day.

CONDOMINIUM ACT

Hon. Mr. Clement moves second reading of Bill 118, An Act to amend the Condominium Act.

Mr. Speaker: The member for Perth.

Mr. H. Edighoffer (Perth): I would like on this occasion, as I have on recent occasions, to thank the minister for presenting further amendments to us before discussing this and other bills on second reading. I find that this is most helpful and most acceptable.

An hon. member: The member should talk to the Minister of Revenue (Mr. Meen).

Mr. W. Ferrier (Cochrane South): It's a very cosy relationship those two parties have.

An hon. member: Constructive criticism is what it is.

Mr. Edighoffer: Mr. Speaker, when this bill was introduced in the spring of this year, I believe the minister was absent and it was introduced by the Attorney General (Mr. Welch), who at that time stated very briefly that this is a major attempt to deal with existing problems in condominiums. I feel that this is, of course, a definite admission that the legislation is unsatisfactory and I think we must bear in mind that such legislation is still a new dimension to home ownership.

Originally, it was hoped to provide ownership for every income level, be it for convenience, for security, inexpensive housing, pride of ownership or the inability of the person to perform the general maintenance that is required for home ownership. Mr. Speaker, in this party we are pleased that the government has brought forward this amending legislation to the Condominium Act. However, this bill falls considerably short of what is required to relieve the serious situations that have arisen in condominium developments because of the inadequacies of the present Act.

We, in this party, as I have intimated, will support Bill 118 in principle, because in our opinion it represents another short step forward. However, we will be proposing amendments that we most seriously urge the minister to consider.

Many of the members in our caucus have been approached by numerous individuals and owner associations over the past year. They find themselves unable to cope with the problems that have arisen in their buildings because of the present legislation, and because this legislation is entirely deficient in many respects.

I am somewhat surprised and disappointed that after all this time the government has not brought forward a comprehensive bill so that the real solutions can be developed for the very real problems that today beset the residents of condominiums. I do not believe that the government is unaware of these problems, it has chosen to do very little and the result, of course, is this inept bill.

I will give as examples: What about the multi-landlord buildings where residents' meetings are frequently postponed for lack of a quorum? Or what about the right of a mortgagee through his vote, in some instances, to control the calling of residents' meetings? Or what about the facilities withheld from the common elements that remain within the control of the developer for which a fee is charged? Also, what about the problem that's faced by a prospective buyer in obtaining financial information about the condominium building in which he is considering purchasing a unit?

So, as a first step toward finding workable solutions, I would propose that the post of registrar of condominiums be established. In many regions this post would be combined with that of the land registrar, but in large urban areas an additional person would be required.

It is now obvious that it is absolutely necessary that a central location be provided where all the facts and documents pertaining to condominium developments can be filed and available to the boards of directors of the condominiums; the residents, whether they are owner or tenant; and prospective owners or tenants. The present system is entirely unsatisfactory.

This is particularly true with regard to the financial statements. It's clear that an annual financial statement is not sufficient to allow a prospective owner any clear picture of the financial status of a building. And I think more is required.

Consequently, I would propose that a quarterly statement should be filed with this registrar. This would allow a prospective buyer or tenant the opportunity to know in some detail the financial status of the building.

There would be other duties, I believe, that the registrar of condominiums would be re-

sponsible for; and I will just outline this very briefly. I would say one would be to keep a registry containing the particulars of all transactions pertaining to the condominium buildings. These would include all titles, declarations, plans, financial statements, deeds, covenants, performance bonds, warranties and leases. It would also be his duty to administer the trust funds as referred to in section 24(c)(1), to make these available to the prospective purchaser, or any or all records on file in the registry pertaining to a particular condominium building. It would also be his responsibility to retain title documents to all lands connected in any way with condominiums, and to maintain, of course, the condominium corporations index and the condominium register.

You will notice, Mr. Speaker, that I have included performance bonds as part of the records to be kept by the registrar. Why, in practice, have developers of condominiums been exempt from the need to post performance bonds? This is a situation that must be clarified. Condominium owners have been faced with serious deficiencies in their buildings where they are virtually helpless to effect remedies. Performance bonds are a logical way to relieve this situation.

Now, in respect to leases, a prospective buyer would know the proportion of rented accommodations in any building. In other words, a prospective buyer would have some chance of getting a clear idea of what he is getting himself into.

I am also concerned about situations where a number of units are owned by one landlord within a condominium project. I notice the government has attempted to control this situation by limiting the period of rental of units to four years and by requiring from the lessee an option to purchase or an agreement to purchase.

It is our position that the sale of units should be limited to one per owner, except in the rare instance where a prospective buyer wishes to purchase two units for the purpose of creating one larger single-family dwelling. I believe that instead of controlling the length of time a rental situation is allowed to extend, we should rigidly control the number of units a single owner should be allowed to own. Our position is that the principle of one owner, one unit, one vote, should be clearly established.

It is conceivable that an owner might wish to rent his unit over an extended period of time, and we can see no objection to this where the owner's responsibility for his tenant is clearly spelled out. I would therefore ask that the minister consider an amendment to section 12 of the Act requiring that the owner be responsible for seeing that the lessee or occupant not make demands on the common elements greater than the privileges accorded each owner.

Mr. Speaker, we in this party believe that a thorough review of the legislation is long overdue. I know many members, particularly in this caucus, look forward to the examination of this bill when it goes to standing committee. I hope that the minister will see that it goes to standing committee because, looking over statistics compiled regarding the legislative process, I note that only seven of the 246 bills went to standing committee in 1973, and out of the seven bills going to committee, six were amended, which shows that members and the public have more opportunity to participate in the legislative process.

In closing, Mr. Speaker, I just want to draw to your attention a recent process report where an owner of a condominium stated—and I quote from the Star of Nov. 11, 1974. He said:

> Condominium living began as a fine social concept, but it has been botched by the provincial government. They wrote the law to protect the developers, not the purchasers.

I hope that when this gets to standing committee, Mr. Speaker, the members of this House and members of the public will have much more opportunity to present worthwhile amendments.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, we too wish to state to the minister that we would very much prefer that the matter go out to committee from the House when the opportunity arises. The minister may have reservations about that—

Mr. J. A. Renwick (Riverdale). He nodded his head and said yes.

Mr. Lawlor: He says yes? Fine.

The minister will remember that when his famous bill, Bill 184, An Act to amend the Condominium Act, came before the House last spring, we took it to committee. The committee hearings were as much of an eye-opener to the minister, I am sure, as to anyone else; and, as a result we did not proceed with that bill as it came before us, but placed everything under suspension until the new creature arrived, having been given birth

rather prematurely, or only five or six months after the other child was aborted.

The one before us today is an improvement, but it is very far from what is even remotely desirable in the area of condominium law. It corrects four or five major areas which were brought to our attention at that time and which I will review shortly, but in a vast diversity of contexts the legislation does not even make nodding acquaintance to the major problems facing condominium dwellers and facing municipalities in the province.

I wonder if the minister has had an opportunity to peruse a very fine piece of writing indeed, proceeding from the borough of Etobicoke called, "A Special Committee on Housing Report," on problems of existing condominiums in the borough, the south end of which I happen to represent. Proceeding up through the full borough, there are three different ridings, partially at least, included in that particular borough. A man who recently lost his seat, Stockwell, the controller there, launched into these hearings a very considerable time ago and produced two reports, the basic one statistically set up and the second one coming to conclusions.

Reading through this fairly magnificent report, I suppose that there are at least 125 various recommendations embodied herein, which that borough, and I'm sure others with condominiums in them, find equally demanding. Out of 125 recommendations, only 10 or 12 are encompassed within the terms of the legislation we have before us today, albeit some of the ones which we have before us are of importance, and it is well to move the bill forward.

At the same time, it puzzles me as to why, having done major work supposedly to prepare for that earlier bill which came before us last week, and then seeing what the weight of grievances was, how widespread they were and how deep-searching, we come after many months to this bill. The minister has special staff who know all about condominiums and who must know the full range of this problem, who must know the import of this particular report, who even now after all that period of time have not seen fit to flush this thing out, cover the abuses in a much more thorough-going way and to bring before us a bill which has girth and depth rather than a kind of piece-meal operation which we seem to be presently engaged in in the whole field of condominiums.

I am inclined to run over a whole host of things. For instance, just take one of their recommendations. On page 13 of their report they say:

> There are at present no checks on a developer or penalties to be paid, if a non-completed or improperly finished building is turned over to a condominium corporation. This is contrary to municipal hold-backs on the completion of public services for a development in terms of bonds required and a corresponding development agreement. Under present circumstances, therefore, it is incumbent upon a purchaser to satisfy himself with regard to such matters.

That's just one small area. There is the whole area of private roads, of policing and of safety. If the roads are declared public roads and happen to split a condominium, what happens to the zoning requirements? Does that constitute a division of the land contrary to the Planning Act?

One of the recommendations in this report is that property management people in this particular field ought to be licensed. The minister launched into the travel agents today with respect to licensing procedures. I assure the minister that this property management thing is something that he should really look at. It is extremely serious.

It's true he has given greater facility and powers to the condominium owners now, to engage their own management, which was one of the more vicious aspects of the extant legislation, and to dismiss the old condominium firms which were in cahoots with and were simply an extended left arm of the condominium developer in the first instance. It was a species of ripoff. Even at that, they haven't been able to dismiss them if these are specialized types of agencies performing a very special function which should come in under the minister's wing in the overall purview of his department.

As I say, the minister has done four things in the course of the legislation which are commendable. Mr. Speaker, it is certainly something on which I don't take issue with the minister—on the contrary—but there has been produced a proposed amendment to the legislation we have before us. In other words, before the present amendments go through, we have the next wave, so to speak. If you are a surfboard man, Mr. Speaker, as I'm not, you're quite likely to get drowned in the flood of ongoing waves. I haven't had a real opportunity to absorb or peruse what is contained therein, but I think there is nothing of great moment in changing the principle of the legislation, but simply a sketching out of minor areas of improvement in the proposed new amendments as they come through.

I simply want to say publicly in the House that this particular procedure that the minister has adopted is, if we were just given a little breathing space to prepare, a commendable one and one that he is uniquely establishing as a precedent in this House. He'll get no dog barks from me, at least, about proceeding in that particular way. We recognize the merit of the thing.

The legislation itself, as I say, leaving out what may be slightly amended within the terms of the proposed new amendments, does make it mandatory within one of these sections here to hold annual meetings on a compulsory basis. It also provides for the termination of the board of directors, who are elected at the time when the developer is the owner of the majority of the units, and the election of a new board within a specified time. Three months is the date of the annual meeting after the registration of the declaration, and the subsequent meeting after that cannot occur more than 15 months later. That's very good, because condominium developers were sitting on it. They weren't calling the meeting; they would run the condominium ad infinitum in their own hands, selling the units on what I would think would amount to a misrepresentation as to what the whole intent of the project was. Now that particular piece of viciousness has been foreclosed within the legislation and we find that commendable.

Similarly, the minister has made provision for the termination of management agreements and the possibility of looking into the books. The provisions under this particular head are contained under section 10—I have already gone about renumbering my sections. In that particular area there is the business of being able to move in, once the majority of the units have been sold, to foreclose the developer in a definite way with respect to his wing so that they can hire decent people as they see fit and set up a competitive system in pricing as among condominiums. Thus the buyers will not just have to bear, and have to bear into the indefinite future, what is imposed upon them when they first entered into the condominium unit, where the condominium developer divests himself of all responsibility and authority but has an extant agreement which goes on and is binding upon, at at excessive rate on a real ripoff principle, the members of the condominium unit into the future.

The minister has, in the new amendments that are coming before us, made provision for political canvassing in condominium units which was a real thorn in the flesh of numerous individuals in the municipal elections that have gone before us in the last few days. Condominiums were not permitting them in. And it is a shame that provision had not already been made for that, but it is coming before us, I suppose as we hit the committee of the House, as an amendment to the legislation.

The third major area that deserves comment and which is a considerable alteration of the law is the business of new implied covenants being imposed or deemed to apply and, I take it, which cannot be contracted out of by condominium owners. It think they should be read into the record and made clear to the House. The first one is:

> Every agreement of purchase and sale entered into by a proposed declarant for a proposed unit for residential purposes shall be deemed to contain:
>
> (a) A covenant by the vendor to take all reasonable steps to register a declaration and description in respect of the property in which the unit is included without delay.

I really think that is probably the best the minister can do, but again, they weren't registering them. They were under no obligation to register them. They simply took the money from the purchaser. He moved in and everything dangled; everything was held in suspension. And if you hold your breath long enough, Mr. Speaker, you'll probably expire. Many people did expire and have expired, not quite on the spot but just outside the condominium door, because of the state of the law as it has existed up until now.

The second major grievance is:

> (b) A covenant by the vendor to take all reasonable steps to sell the other units included in the property without delay, other than units mentioned in a statement under clause (c) of section 24(d).

That is not particularly pertinent to what I want to say under this head, regarding the business of condominium owners converting apartment houses into condominiums, keeping a certain portion under rental leases and the balance being sold to provide them with capital and to take the speculative gains made from the increase in values.

By the way, that particular point is not really covered in this legislation. I would commend to the minister a piece of legislation recently introduced into this House by a certain Mr. Lewis, the member for Scarborough West, called Bill 147, a private member's bill, which moves in precisely on that area and says that if it is going to be a condominium, let it be. The bill is to ensure

that no presently occupied building is converted into condominium units without the approval of the municipality in which the building is situated.

At the present time, as a way of frustrating municipalities, as a way of getting rid of children, as a way of making an inbuilt profit on it, they have been converting rapidly, and there is no provision under the Planning Act, the Municipal Act, or particularly this legislation, where it ought to be, for closing that possibility, and that too is a shame.

But in the area that I am concerned with here, the business of selling off a few units and then renting the rest mixes the condominium thing extremely badly. The interest of a renter in the property is not identical with that of an owner. They are quite diverse interests. They run contrary to one another. They are conflicting. The furthest that the minister wants to be able to go in that regard would be if a condominium owner is going to be away for a period of time, on vacation or because of job opportunities, and he wishes to rent his condominium unit. He must be—and I believe under this legislation will be—pinpointed with the responsibility for the common elements and for the whole condominium operation in a very decisive way.

That is as it should be. That is not wholly arrived at under this proposed legislation before us and I think he is going to have to make further investigations under this head and possibly bring back next spring further amendments to this legislation, not only under this head, but under a number of others. The third point is:

> (c) A covenant by the vendor [should be deemed in every agreement of purchase] to take all reasonable steps to deliver to the purchaser a registrable deed or transfer of the unit without delay.

Again, anyone who has had anything to do with this, particularly in the legal profession, knows that people move in, hand over their money, and then sit—14 months, 15 months, two years—the deal never closes. The beggar won't deliver a deed. We can't force him to. He gives all kinds of hangups and reasons as to why he won't do so.

The fact of the matter is that under law, until this time, he has not been under any obligation and so he simply hangs on. Why does he hang on? Because in the meantime, and in between time, he is deriving rentals from that proposed ultimate condominium owner; and not a cent of the rentals goes towards the total purchase price of the condominium unit; it's simply money pocketed. While he has the pretense of the irresponsibility of the condominiums, he has all the benefits with respect to the monetary flow. That has been an irking and vicious thing written into the heart of our legislation, and to the extent that that is removed, fine.

The last thing that is of major import in the legislation has to do with trust moneys; in other words, if a purchaser moves into the condominium unit, his moneys must be held in trust. The section involved is No. 14:

> Where an agreement of purchase and sale entered into by a proposed declarant for a proposed unit for residential purposes permits or requires the purchaser to take possession of or occupy the unit before a deed or transfer of the unit acceptable for registration is delivered to him, the money paid in respect of such right or obligation to the proposed declarant shall be credited as payments of the purchase price unless the agreement states that the money or any part of it will not be so credited.

And, of course, I want the minister to strike out that last clause because under these terms every agreement will use precisely that escape clause. It will be printed in every form. It's not as though there was any particular difficulty about it. If you want to buy a condominium at all, you are going to have to accept this on the basis of a normal contract of adhesion. In other words, a lawyer representing a purchaser is not going to have a chance with respect to removing that clause if it stands the way it is. I would like the minister to give consideration to removing the "unless" clause from the legislation and making that thoroughly binding.

Well, much can be said as to the niceties, the—I was going to say finicky points, but they are not that; many of them have real merit. The business of taking it away from the Supreme Court and putting it into the hands of the county court judge has validity. They are much more available; they are available in a wide diversity of communities throughout Ontario where the Supreme Court judge simply is not, because only on circuit would he be readily approachable.

On the business of a lien being imposed if one of the owners of a condominium does not make his contribution to the common expenses, that is a worthwhile provision.

You know, condominiums represent a new type of consciousness in the world. We have been driven to it; we never seem to raise our consciousness unless economic necessity dictates a new form of awareness. Sometimes I almost believe old Karl was right about a lot of things; in other words, we feel the pinch

and then some forms of social living come into being as a result—because of land prices, because of prices of apartments as they presently stand, because it represents the only chance for a man earning less than $15,000 in this province to own a place he can call his own. This is the last straw, and it has come about.

But what doesn't happen, and what must be created, is a new thing. I mean, the business of living in little isolated units with a big yard around us, and, if possible, a 10-ft-high fence to keep others away—the good-fences-make-bad-neighbours type of thing—that whole mentality is being washed away.

We are coming into a new kind of civilization where a profound sense of mutuality, of sharing, comes into being. This is the most concrete testimonial to that new type of civilization that we face at the present time. People aren't used to it; they find it extremely difficult to co-operate with one another in condominiums. They find it difficult to fulfil the obligations of attending the condominium meetings, to play their role and function with respect to the planning of the condominium, with respect to the lawns, the common elements and so on. Those who do participate, I think, gain an enormous amount out of the generosities involved; the feeling about their neighbours; their co-operative concepts. It's a co-operative in terms of human living that is involved here. And whatever this ministry can do, it should do by way of easing that particular burden by way of some kind of educational process.

People come into legal offices, only anxious to get a roof over their head. They don't know the full implications of condominium living. They don't know the demands that are inherently going to be made upon them if that condominium co-op is going to work. And the lawyers aren't in a position to tell them. They are strict automatonic individualists. They are out to get all they can for themselves. They have very little concept, by and large, as a mental state in the profession, as to what is involved; the profound sense of co-operation that is involved if condominiums are going to be made to work.

That they work as well as they do is amazing. It shows the adaptability of human nature as things presently stand. But there is a long way to go.

This ministry should do whatever it can through real estate firms and through directives and so on, to educate the general public as to the unique types of responsibilities of ownership involved. Because it isn't ownership in the sense that "It's mine". It's some thing else too: "It's ours". That is something that most people really don't understand very well.

But as it comes to spread in our society as a beginning unit, then the whole of the damn capitalistic structure will fall apart. And this minister's contribution to date is immense. It may break his heart to know that, but he can't help himself. He is caught in the webs of destiny.

Mr. Speaker: The hon. member for St. George.

Mrs. M. Campbell (St. George): Mr. Speaker, my colleague, the member for Perth, has outlined the position of this caucus—and has done it very ably. I have just a few comments that I would like to make.

It is sad that when we are looking at this bill, which seeks to amend the Act, that we could not have gone much farther in trying to make the Act important in its conclusions to the people who are involved—and for the most part sadly involved—in the condominium experience.

We have heard about the matter of the common elements. One of the things that is not really protected in this bill is that question—the fact that developers can build condominiums as they have in my riding and people who purchase them believe that they were purchasing an apartment or a unit together with, for example, parking—because the city of Toronto has regulations about parking. They find that, after they have entered into all of these complex arrangements, they have no voice in the parking. They have to face the fact that the developer is just forcing, increasing rentals for the accommodation known as garage accommodation.

In my view, this should not be something which can happen within the condominium legislation. Surely, this government should not be protecting developers who are using this method to try to overcome the requirements of a local municipality. This is the situation which has been allowed to develop.

Of course, we would propose an amendment to the Act which would give greater control of this kind of operation and prevent the developer being able to—as he has been done, I think, without any question at all—virtually misrepresent to the purchaser what it is that he or she is purchasing in the purchase of the unit.

So we would propose that every facility located within the boundaries of the plan of survey shall be included in the common elements and that no such facility shall be with-

drawn therefrom without the consent of the owners who own 80 per cent. of the common elements. This would be one of the ways in which we would like to aproach the problem, which runs through every condominium with which I have been familiar.

I may say, Mr. Speaker, that I am one of those lawyers who has spent some time—some short time, I must confess, as I've been trying to run away from having anything to do with condominiums because I happen to have a conscience about the kind of advice I would give a client, and I have never felt that I could really give the kind of assurance that I would want to give in dealing with this complex question. So I'm not speaking from any great experience in the field, but rather as a result of the complaints which have come to me from those who have, as I say, had the misfortune to deal with the developer in the condominium process.

There is no doubt in our view, too, that we must ensure within this legislation the provision of a performance bond. The absence of this is one of the things which has caused the greatest concern to people. In one case, in a letter, a copy of which was forwarded to us, from the Forest Hills community to Peel Village Developments Co. Ltd. under date of Nov. 25, 1974, this is one of the things they say:

> We have observed the tremendous amount of initiative and effort brought to bear to bring to completion as soon as possible the second phase of townhouses, while requests for repairs to our units have, in many instances, gone unheeded for months. And now the telephone number previously available to the construction office is out of service.

This is the sort of thing we do not feel government is entitled to protect—that is, the developer attitude. We are of the opinion that the condominium legislation should protect the purchaser who, after all, really isn't in a position to control the situation, And, of course, perhaps we ought to look at the doctrine of caveat emptor in connection with condominiums since, in my view, it's almost impossible for the purchaser to truly protect himself or herself.

So, Mr. Speaker, we will be producing, hopefully, some amendments that the minister will look at very closely and will examine to see whether or not we cannot between us bring forward something which will give greater protection to the consumer of this product. I hope, Mr. Speaker, that we are indeed going to process this bill through the standing committee so that there may be an opportunity for those who have suffered to bring forward their point of view and make their submissions, and that we may be in a position where we might, even at that point, be able to consider the types of amendments that we feel are so imperative at this point. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I am pleased that the minister has introduced amendments designed to make life easier for the condominium dwellers by protecting them from the various devices conceived by some developers for ripping them off. That, Mr. Speaker, in my opinion, is the main principle of this bill, and my only fear is that the amendments are arriving too late to save many condominium dwellers hundreds and thousands of dollars. One device used by some developers was to delay registration of the condominium as long as possible, telling the owners that 80 per cent of the units must be sold before the condominium could be registered and using all kinds of delays to keep the deeds from being registered to the individual owners for as long as possible.

This, of course, was never part of the plan conceived by those who promoted condominium life in the first place. I understand that Mississauga has had the wisdom and the foresight to appoint a condominium committee whose aim is to make life go smoothly for those who choose to own a condominium unit. Perhaps it was as a result of this committee's work or perhaps it was simply because of the honesty of the developer, that buyers in the Applewood Hamlet condominimum in Mississauga began to make their payments as owners, not as tenants, on the very day on which they moved into their homes.

In Windsor we had an unfortunate experience with the launching of Elizabeth Gardens. Despite attractive advertising that even included promises of no closing costs, those who bought found that they were thwarted at every turn by the Toronto developer and his Toronto lawyers. The story of Elizabeth Gardens is a chronicle of broken promises and broken commitments over a period of about two years, during which the registering of the condominium itself and the owners' deeds suffered delay after delay. During all this time, despite the original promises that all the monthly payments, less taxes and utilities, would be counted off the occupants' mortgages, the developers happily continued to collect rent. It was only a few months ago

that the occupants of Elizabeth Gardens finally became owners. Even then, OHC had to hold up and use for repairs the final payments, which would have been $90,000, to ensure that leaky basements, leaky roofs and other structural flaws were remedied.

At Roseville Gardens in Windsor, we had a somewhat different situation. There 555 units, divided into four condominium projects, were built on land—I am waiting for the minister to have his undivided attention, because I have a question at the end of my remarks and I would like him to be able to give me an answer. In Roseville Gardens we had a different situation. There were similar problems but there was a different twist. The 555 condominium units, divided into four separate condominium projects, were built on land donated to the city of Windsor by the Ford Motor Co. CMHC provided a loan of over $8 million as part of the federal government's innovative housing programme to enable persons with limited incomes to become homeowners.

Mr. Speaker, without any land costs involved, you can understand that this really put the purchasing price within the reach of most people, even of low incomes. According to CMHC, and I am quoting:

> Some 410 families, ranging in annual income from approximately $4,200 to $9,500, took advantage of this special lending programme.

However, according to the Windsor Star of Nov. 16, 1974:

> Today, two years after the 555-unit project was completed, only about one-third of the units are occupied by the people for whom they were originally intended. Almost one-third of the units are being rented on the open market by the builder, and the other third went to persons other than those for whom the project was originally intended.

The Star's reference, of course, is to persons in income brackets higher than $9,500.

Two of these condominium projects consist of apartments, all but 30 of which appear to have been sold. In the other two projects, consisting entirely of townhouses, the prices ranged two years ago from about $17,500 to $21,033, the latter being the price for a three-storey, four-bedroom townhouse with a built-in garage—all for $21,000. I have received complaints, however, that these townhouses are no longer for sale, and have not been for over a year, but are being rented for about $250 a month.

In other words, those who were able to become owners two years ago are paying less than $200, with their common expenses included, and are buying their homes, while many of their neighbours are paying considerably more and are merely tenants. As happens everywhere, some tenants take little or no pride in their household, much to the annoyance of the owners who came into the project believing that they were entering a community of homeowners as advertised.

I wrote a letter to CMHC and made some inquiries through the minister's own offices. From the latter I received a report that the developer stated that:

> He has no intention or desire to retain the remaining units in the Roseville project and that, in fact, approximately 30 of these units are being offered for sale at the present time. Apparently, the present housing market situation is making it difficult to sell these units.

That's the report I obtained from officials in the minister's offices about the beginning of September.

Actually, Mr. Speaker, the 30 units for sale are the apartments, the smallest of which went on the market two years ago at $9,379, with payments of $95 a month. No townhouses are included in those for sale.

I sent a copy of some of my correspondence to the Windsor city council, inasmuch as the ctiy of Windsor was one of the initiators of the Roseville project. I suggested that council maintain a continuing interest in seeing that the original purpose, a community of homeowners, is achieved at as early a date as possible. I added that, and I'm quoting myself—

Mr. Deans (Wentworth): No better authority.

Mr. Burr: "It seems to me inconceivable that attractive townhouses, priced in a $17,500 to $21,000 range, with insignificant down payments, should go begging for buyers in the face of today's desperate housing need."

Despite the fact that the mayor assured council that the units were for sale, and the matter was therefore dropped at the council meeting, the Windsor Star did some further investigating. The Star found several persons who had tried to buy units but were told that none was for sale. A Star reporter inquired himself and got the same answer. He found seven families who had been told that there were no units for sale.

The developer insists that he will sell the 175 units he owns, but that if he were to flood the market private sellers would be at a disadvantage and could not compete. One of these private sellers is a developer himself who is building a HOME project a couple of miles away. There, similar houses are being sold at about $20,000 with the buyer leasing the 40 ft by 60 ft zero lot-line lots from OHC with an option to purchase the land later for $9,100. As an interjection, Mr. Speaker, you can get 17 of these lots to an acre, and they are being sold by OHC under the HOME programme for $9,100 a lot. At 17 to an acre, that is $150,000 an acre. But the houses, apart from the lots, are selling there for about $20,000.

The developer's fears of flooding his own market may be well founded. Anyone who wishes to buy a condominium in Roseville Gardens can do so only by buying out a private owner at a price $4,000 to $5,000 or more above the 1972 price at which he puchased it. According to the Star, the developer says he will sell his units "when market conditions are right." The Star interprets this to mean that "he expected private sales in Roseville to dry up eventually." The Star continues:

> However, he stressed that when he sold them it would be at the going market price and not at the low selling price at which he originally bought them. Even at that original price a profit had been calculated for the developing company, Roseville Gardens (Windsor) Ltd.

According to the developer, CMHC insisted on observing the low-income ceilings long after the supply of those eligible to buy was exhausted. By the time the income ceilings for prospective buyers were raised or removed, as they obviously were, despite the letter I read to you from CMHC, many potential buyers had made other plans.

The developer claims that no units were rented until "all reasonable and unreasonable efforts had been made to sell them." Nevertheless, I have an affidavit, Mr. Speaker, stating that one couple rented a townhouse in Roseville in August of 1972 with an option to buy after one year and that this option was refused when August, 1973, rolled around.

Be that is it may, what is the present situation? According to the Star reporter, a four-bedroom unit, if available for sale in December from the developer—and one of them may be—will be sold at $28,800 instead of at $21,033, the sale price when the project was completed. The developer has enjoyed the rental income from this house for two years, a total of at least $4,000 after taxes and utilities, and now stands to make over $7,000 more than he would have made in the summer of 1972.

What effect will the amendments being introduced today have on that situation? The whole purpose of the federal government's innovative housing project was to make housing available to low-income families who would otherwise have no hope of ever owning a home, but the result is that the developer now holds 145 units released to him by CMHC and 29 others that he bought back from the original buyers, for a total of 174. On these 29 there is some justification for him to make a new profit and sell at the present market price, but on the 145 unsold units the original price should stand. One could even argue that part of the rent already paid should be credited off the mortgage should the present tenants wish to buy.

So, Mr. Speaker, I should like the minister to let me know what effect this amended bill will have on the 145 unsold condominiums in Roseville Gardens. That is the question that I should like the minister to answer.

Mr. Speaker: Does any other member wish to speak before the minister replies?

The hon. member for Etobicoke.

Mr. L. A. Braithwaite (Etobicoke): Mr. Speaker, I want to make a few comments on the bill. Like my predecessors, I am in support of the bill; but there are several problems and several situations that I think should be brought to the attention of this House while we debate this on second reading.

I am concerned, Mr. Speaker, because we have something like 14 condominium projects in Etobicoke, and one of the first and the largest was the Kingsview complex at the corner of Dixon Rd. and between Kipling and Islington Aves. Many thousands of people live there. I have been in receipt of many communications from those people and from many other people who reside in the northern part of Etobicoke and live in condominiums. Therefore, I would like to add a few comments to the debate.

We know that condominum housing, a form of housing new to this province, was encouraged by this government. As I said, we in Etobicoke have many examples of condominium housing and we have considered it a housing form that would enable a larger segment of the population to own their own homes.

There are serious continuing problems in condominium housing in Metro. Residents believe that there is much confusion about their status as homeowners, and they find themselves in a distinct position of disadvantage when dealing with the fire department or the police. In some instances they must provide for private garbage collection, although their high rate of property tax most obviously should cover this cost. In effect, they are paying twice for the same service. Until recently in Etobicoke, they were paying for garbage collection. That was the general situation there, but the Etobicoke council has taken steps to provide for some garbage collection and the situation now is a little better.

Mr. Speaker, one of the major problems has been the lack of understanding and knowledge on the part of officials at the municipal level with regard to condominium living and condominium law. Let me make it abundantly clear that although condominium homes may look like apartment buildings, in fact they are a group of privately owned homes that have been built on various levels instead of side by side on flat acreage. Condominium owners have registered titles to their homes, they pay taxes and are as much homeowners as the family living in a single-family detached or semi-detached unit.

Let me emphasize that these are not rental income apartments. Condominium owners are the same as any other homeowner who has to pay a mortgage, insurance, realty taxes, maintenance charges and all the other expenses and problems that go with the owning of one's home. However, because condominiums appear to be like apartment buildings, owners are having great difficulty in getting across to civic authorities, to law enforcement agents, to business organizations, and to other members of the community, that the concept does exist of them being individual homeowners with the same rights and obligations as other homeowners in the community. In Etobicoke, one area which appears to be absolutely ridiculous is the absence of a fire route bylaw. There is no need to state that the lack of such a bylaw could conceivably lead to the loss of lives in the event of a major conflagration within the condominium proper.

Another area in which there are serious problems is that of police involvement as it pertains to large condominium buildings. Although the police have tried to co-operate in many instances, the condominium homeowners have found that the general lack of awareness contributes to many aggravating and disturbing situations which, had they occurred on single-family, detached, flat-land properties, would have been looked after immediately.

For example, as a detached-residence owner if you came home to find a car trespassing on your property—on your front lawn or in your garage—you would have no difficulty in getting the police to look into this violation of your private property rights. To put it mildly, the condominium owners, particularly in large buildings, are finding that such cases are treated with apathy and, on some occasions, with downright hostility and refusal to co-operate on the part of the police. There should be no reason that private condominium homeowners should have to consider the engaging of a private security force when they are being forced to pay taxes for police protection. I might say, Mr. Speaker, that in the Kingsview condominium complex many thousands of dollars are paid every year by the board of directors for that very purpose.

Mr. Speaker, I make these comments to illustrate to the members of this House some of the difficulties which condominium homeowners are having. These problems are mainly due to the fact that the whole concept of condominiums is new, but it is incumbent on the government to take steps to amend the Condominium Act so that problems the like of which I have talked about can be looked after.

An inspection of the usual offer to purchase a condominium unit will reveal that it is obvious that purchase arrangements for these projects must be modified. The requirements of the Condominium Act with regard to the amendment of bylaws are unrealistic. It would be most helpful if a way could be found to enter into discussions with the people concerned to that realistic solutions could be worked out.

Mr. Speaker, in Etobicoke members of the various boards of directors of the condominiums there have got together and they have formed a first-of-a-kind association. I don't think there is anything like this anywhere in Canada or anywhere in Ontario. Mr. Speaker, the 14 condominiums had a series of meetings with the borou.gh and with representatives of the various condominiums and they have decided to help themselves by approving in principle the formation of a borough-wide association. The corporations endorsed the idea of an association as the only way to promote internal communications and collectively to push for changes to the Condominium Act.

The directors who were present at the meeting, held about a week or two ago, are going back to their individual boards to get confirmation of the desire to form an association, and they are also going to persuade the 11 other registered corporations that were not present or represented at the meeting to join.

The vice-chairman of the association for the present is Dave Cranston, and he is the vice-president of York Condominium 60 at Dixon Rd. in the Kingsview complex, which I mentioned earlier. He says: "We don't know what's going to come out of it. The only one way we are going to solve any problems is to spend that extra one day and night to do something." Suggested functions, Mr. Speaker, according to the thoughts expressed by this group would be the following: firstly, to act collectively to seek amendments to the Condominium Act; secondly, to pursue assessment appeal cases before the courts, which may be resolved by the Supreme Court eventually; thirdly, to advise and assist new boards of directors on legal matters, bylaw amendments and operation of condominiums, and to act as a referral bureau for determining good property management firms.

As I say, that's a first for this province. This association of the 14—and it is hoped the remaining 11 Etobicoke condominiums—will be a potent force in the future as far as this whole concept of condominiums is concerned.

As I was saying, Mr. Speaker, there should be more contact between the government and the various condominium owners. I would suggest that the minister or someone in his department convene a workshop involving condominium owners, management and the government so that workable solutions can be found from time to time for the difficulties of condominium owners. Our experience is that such useful discussion should be entered into immediately.

Today, I have some suggestions for the government. First, all condominium owners have a say in the management of the project through the board of directors. The board has the responsibility of administering the common funds of the condominium and can either hire a professional management team or manage the project itself. However, management by families is not as ideal as it may sound. With a multitude of families involved in decisions, agreement can often be hard to obtain. The Act could be revised to provide a Kissinger type of influence when disagreements occur.

Mr. Speaker, speaking of disagreements, I have received from a Mrs. Hulme of 340 Dixon Rd., Apt. 305, Weston—who is a resident of the Kingsview complex that I mentioned earlier—a letter dated Nov. 26, and basically she is enclosing a copy of a letter circulated within the complex. This letter is "a letter of an irate owner, one of the many in the complex," and because the general idea of condominiums is new, as I mentioned, there are many problems.

This lady says she is sending this copy of the letter in the hope that we may achieve some help for the owners in this complex. She is speaking of the Kingsview condominium complex.

> Many of us feel that we are being ripped off. Our maintenance fee is going up in too substantial an amount every year. The cost of living is continually rising, but this is too much. The excess reserve fund the board of directors seems to require, we cannot understand, as we feel that we should not have to pay for the faults and deficiencies of the builder.

I want to just divert for a moment, Mr. Speaker, to say that it has been mentioned about the deficiencies that many of the builders have left when they put up one of these condominiums, and what happens is that in time the chickens come to roost and the people who own the condominium find that they are the ones who have to shell out. I am going to comment on that further, but this is what she is referring to here. This lady states, and I am continuing my quotation:

> We need a government body looking into the boards of directors and/or management of condominiums. We are not getting the value for our money at all, and need a fair shake. The proposed budget for our condominum for 1975 seems to be phenomenal. Can we be helped in any way? Thanking you for your perusal of this letter, and hoping we can gain headway in these matters with your assistance.

Mr. Speaker, that is her letter. She attaches to the letter a copy of the 1975 budget projection recap for York condominium No. 42, which is the one in which she lives. This gives some idea of the 1974 budget, 1974 estimated and the 1975 budget, for various items like utilities, wages, maintenance and repairs, and administrative costs, and it sets out that there will be an average cost per unit of $742.47 budgeted for 1975. Then it goes on to show the proposed income and outgo for the York Condominium Corp. No. 42.

The letter she referred to in her letter was written by Steve Oberding, a concerned owner at 340 Dixon Rd. He's complaining, he states, because "I am angry." And he has written this letter to all the people who live at 340 Dixon Rd. He says: "I am angry—and you should be too." He sets out various facts. The first one is:

> The present board of directors, through mismanagement of our money—and, I repeat, our money—is making a move to increase our common elements, not by just a few dollars but by many, many dollars.
>
> Why? Mismanagement of thousands of dollars a year. Just where the hell has it gone? We know that the cost of living keeps going up, but this is ridiculous!"

He goes on to list other problems that are besetting this particular condominium, and he sets out his ideas as to why the problems have arisen. He feels that mismanagement is at the root of many of the problems.

He's doing his best to get the people concerned, and he states:

> In other words, clean house in the board room and stop our common elements from being the highest of any condominium corporation in Ontario. We should not be paying our treasurer $50 a week to look after his own interests

And he goes on and on. He says: "Protect your investment: re-elect a new board of directors." That is the word he is trying to get across in his communication to the residents, which has been sent to me by the lady referred to earlier. He is trying to get across to them the idea that they should attend the meetings and that they should do something about the running of the condominium by trying to elect members of the board of directors who would be interested in the costs and in the problems of the owners.

The second comment I wish to make is that there are other shortcomings in the laws affecting condominiums. Some people have found themselves in the unfortunate situation of making down payments on units but being refused possession until they have paid additional money. Others may find, after making a down payment, that the developer has gone bankrupt before construction has been completed. Most people are not aware that a condominium under the present law does not become a condominium, and the purchasers are not owners, until everything in the building has been completed and the declaration registered with the government. Only then does the purchaser receive title to his unit.

It is estimated that by the end of this summer there will be more than 15,000 owners of condominiums in Metropolitan Toronto. The present laws are lacking in buyer protection and this government must accept more responsibility in the protection of the purchasers of these units.

Ralph Nader calls it the No. 1 consumer issue of this decade. In 1968 the Ontario Law Reform Commission published a report on the trade and sale of new houses. The report recommended that a new house built or sold should be (a) fit for habitation; (b) built of proper materials and in a good and workmanlike manner; and (c) free from latent defects in construction. Unfortunately, those recommendations have never been adopted by the government for houses or for condominiums.

How is a prospective buyer able to tell that the paint on the walls is cheap or that the plumbing, heating and electrical materials aren't made of the cheapest products? If there is carpeting down, how is the buyer able to tell what is underneath that carpeting?

There is always some element of risk involved in any purchase, but the government should make mandatory a standard contract which clearly sets out the maintenance obligations of each party at the time of purchase. This contract should set down certain guarantees that the developer must stand behind concerning the installations within the complex. Perhaps in this way greater consideration will be given to whether the materials used in construction will last more than three years.

It has been suggested that condominium owners will be, some time in the future, protected by means of what is, in effect, an insurance policy which will cost the buyer about $100 extra. My feeling is that the condominium purchaser should be protected without having to pay anything extra. The so-called insurance policy should be available to those who want it in addition to the protections given to the purchaser under the law and under the contract of purchase and sale.

Another safeguard about which I feel strongly is that condominium builders should be obliged to post a performance bond to ensure that potential buyers will receive what they have paid for, and to protect them and their deposits against a possible bankruptcy or sudden price hikes on the part of the developer.

This government should look at some of the European examples of legislation dealing with

condominiums, since this type of housing has existed there for centuries. There are clear controls, both to protect the purchaser from unscrupulous developers and management firms, and also to protect him from his fellow owners.

In Britain, for example, a condominium owner can take his neighbour to court if he doesn't keep up minimum standards of cleanliness and repair. It is time our government put some type of protective controls into effect. The need for quality control in housing construction has been demonstrated and is long overdue.

Before I leave the subject of condominiums, I want to bring to the attention of the government a particular problem which condominium owners have. This concerns the questions of meetings of condominium owners at which business concerning the condominium is discussed.

Mr. Speaker, it has come to my attention that on many occasions the builder of a condominium does not sell all the units immediately, for one reason or another. And so we find that for many months after the registration of the condominium plan, there are many units which are left unsold and which are rented by the builder. Bearing in mind that the average renter or lessee would not have the same interest in the condominium as an owner, I would suggest that the Condominium Act should provide that no one who was a lessee should have a vote at a meeting of the condominium owners.

As for the builder, I would suggest that the Act should be amended so that any units held by the builder after one year following the registration of the plan could not be used by the builder for voting purposes so long as they remained unsold and in the hands of the builder.

Continuing with the subject of meetings of condominium owners, I have a letter here from a Mr. Maynard Sutherland, of 551 the West Mill, suite 216, the Grange, Etobicoke, Mr. Sutherland states as follows:

> All bylaws for condominium complexes are drafted by developers. In most cases, as in ours, they are a replica of bylaws found in rental apartment leases. Unfortunately, to amend a bylaw it is necessary, as legislated in the Condominium Act, to obtain a 66⅔ majority, not of a quorum but of all owners. In our complex, numbering 305 suites, 203 votes in favour is required to institute or amend the bylaws. You know that in federal, provincial and municipal elections, or at a stockholders' meeting of a large corporation, to have even a 60 per cent turnout for a vote is quite an accomplishment. From this you can see a small number can stifle what the majority would consider progress.
>
> Case in point: Recently a meeting was held and on the agenda was one item to amend the bylaws. Of the 305 units in the complex, 162 owners attended or submitted proxies at the meeting, plus the developer, who still held 65 units, for a total of 227 units. The voting was as follows: 144 for; 22 against; 65 abstained—and these latter were the developers. Although the 'fors' outvoted the 'against' by about seven to one, the Condominium Act dictated in favour of the 22. As you can see, abstention or absenteeism are considered a negative vote; which I consider creates an unfair situation.

Mr. Sutherland also states that it outlines in the Act that a quorum of 102 or 33⅓ is required before business can be transacted, and that it is unfortunate that this does not apply to bylaw changes. He goes on to suggest that it would only be fair for consideration to be given to amendments being made to the Condominium Act permitting the affirmative vote of 66 2/3 per cent of a quorum to be accepted for the amending or creating of a bylaw, or failing that abstention votes and absentees be proportioned for and against those in attendance.

As you can see, Mr. Speaker, it would certainly help if the government would take to heart the example given to us by Mr. Sutherland and bring forth amendments as suggested.

As I have said, Mr. Speaker, we have the massive condominium project known as Kingsview Park Village. I understand it's one of the largest condominium developments in all of Canada. The residents of these condominiums brought to my attention many of the problems which I have brought to the attention of the House today. I know I speak for all of them when I say they would certainly appreciate speedy government action in updating the Condominium Act and providing for more and better protection for purchasers and present occupants of condominiums.

Mr. Speaker, I want to make a few comments now about one of the problems of construction that is found in one of the large condominiums in my area. Mr. Speaker, it's inconceivable to me and to the people I represent that services, that's roads and sewers, which are publicly financed should not meet acceptable standards of construction.

In the borough of Etobicoke we have had two or three examples of unbelievable situations of road and sewer collapse soon after construction has been completed. I most earnestly urge that this problem be given the highest priority and solutions found, and found, and found quickly.

As an example, York Condominium Corp. No. 8 was registered as a condominium in January, 1970. The building is located at the intersection of Albion Rd. and Finch Ave. W, opposite Shoppers' World in Rexdale. It was built under the HOME plan, which should have guaranteed that all work had been carried out under the rigid standards required in the NHA and CMHC specifications. The bulk of the building was done between October, 1967, and February, 1970. The paving portion was carried out during the summer of 1970. After the winter of 1970-1971, large areas of paving on roadways and driveways had collapsed. The builder, Bramalea Consolidated Developments Ltd., was notified in writing and patching of these areas was completed under the terms of the warranty.

At this point, however, the board of directors was informed that as far as the builder was concerned, this repair discharged him from any further obligations. The builder was informed in writing that the repair job which had been done was unsatisfactory and that further work would be required, but no further correspondence or satisfaction was forthcoming and all appeals through Bramalea Consolidated and their property management divisions were ignored.

At this point, through Mr. Wilfred Barker, McAsphalt Industries was employed to ascertain the extent and condition of all roads in regard to damage and specifications. Through 1971 and 1972 this firm took core samples and made Benkelman beam tests on the road system.

In the summer of 1972 York Condominium Corp. No. 8 carried out patching of the worst areas as subsidence had taken place throughout the entire site. These repairs were at a cost of $2,500. At this time the first major sewer collapse took place. Many discussions took place between Bramalea property management and the board of directors to determine financial responsibility. In the end, the total cost of $3,500 was borne by the condominium.

In December, 1972, the condominium's board of directors finally terminated their contract of management with Bramalea property management and hired the firm of Davidson Management Systems Ltd. to act as their property manager.

In December, 1972, the second major sewer collapse took place. Davidson Management Systems brought in the firm of Golder Associates to take soil condition and compaction tests from the trench at the site of collapse. It was at this point, after the findings of Golder Associates, that efforts concerning litigations against Bramalea Consolidated were intensified.

Davidson Management Systems, through their investigations, contacted the firm of Wylie and Ufnal Consulting Engineers to get site drawings showing specifications to which roads and services were to be installed. Management received a copy of a report to the municipal government which outlines the specifications recommended for building Albion Rd., Finch Ave., Martingrove and Kendleton Dr.; plus all residential side streets feeding into these arteries. It was learned that the engineers recommended a minimum depth of 11 in. for the residential side streets and much greater depths for the arteries. The site drawings did not indicate exact specifications, but alluded to vague wording such as "built to borough specifications."

At a meeting in January, 1973, between the board of management's solicitors, Golder Associates, McAsphalt Engineering, and Davidson Management Systems representing management, it was ascertained that the findings of the compaction tests indicated that the trenches had been filled with material which was not compactable due to excessive water content.

McAsphalt Industries had further determined that the site generally, as far as road surface and drives were concerned, varied in depth between 6 in. and 8 in. and was comprised of 4 in. of very light gravel, with 2 in. of asphaltic cap. In their opinion these were no better than a side drive specification, hardly adeqate for roads which were called upon to withstand at least secondary road loads.

In the spring of 1973, Davidson Management Systems put out tenders for road repairs, as breakup of pavement was increasing. A price for repairs of $11,000 was agreed upon in late April. However, by early May the amount of decay had increased such that it required $16,000 be spent only to do the worst areas. Subsidence of drives, roads, doorways, and so on was very pronounced at this time and road drainage was becoming virtually impossible in many areas. At this time, two further sewer collapses took place, along with the collapse of brick work in 18 catch basins. Golder Associates and McAs-

phalt Industries were again called in, Golder Associates to perform further compaction tests and McAsphalt Industries to view decay and to express a professional opinion.

A meeting was again called between all interested parties, including the president of York Condominium Corp. No. 8 The results of the tests regarding compaction again indicated a non-compacted base material and, due to water in soil, the opinion that in its present state compaction could never take place. Mr. Davidson pointed out to the board of management that due to the severity of subsidence and decay, all grades originally planned were now virtually non-existent.

McAsphalt and Golder were asked to outline alternate methods of repair. The methods discussed were as follows:

1. To reconstruct and resurface existing roads, drives, doorways, curbs and sidewalks. This method can be discounted, as the amount of subsidence and loss of grade would make it impossible to regrade the site and achieve any type of fall or drainage. Also, due to non-compactable materials in sublevels, breakup would most certainly occur again within three years.

2. To remove asphalt and site material as required to obtain proper grades and falls, and resurface with gravel and asphalt to achieve new surfaces in all areas. This method is not desirable because of non-compactable materials in sublevels.

To remove asphalt, gravel and backfill to a depth of 8 ft on roads, drives, doorways, curbs and sidewalks, to relay sewers and lateral runs as required, to refill site with compactable backfill and to rebuild the road to proper specifications.

Davidson Management Systems proceeded to get prices to carry out the above work, and again the decision to press on with regard to litigation was reaffirmed.

You see, Mr. Speaker, the question is: Does the board of directors sue the original builder, who no longer has an interest in the condominium; or does it sue the actual builder of the road, which was a subsidiary of Bramalea Consolidated Developments Ltd.; or does it sue the firm which surfaced the road, Vespi Pavers Ltd., with whom they did not have a contract? On whom does liability lie?

These are some of the problems which the condominium owners in that project are having.

Davidson Management Systems obtained a price of $875,000 to carry out the work outlined in method No. 3. If normal financing were obtained at 10 per cent interest—and this is just about impossible now—this would represent in 25 years an approximate cost of $8,750 per homeowner. This would mean doubling the maintenance fee from $27 to $54 a month. And that is without taking into consideration the inflation we are suffering now, Mr. Speaker.

Davidson Management Systems, in carrying out its spring site inspection, has found that subsidence in all asphalt areas has continued, with drops of up to 4 in. in doorways and between 8 to 12 in. in roadways. The rate of decay on asphalt surfaces has intensified to a point where a conservative estimate of $60,000 could be placed on road repairs for the worst areas for 1974.

This does not include repairs to driveways or doorways, and it is now found that due to no drainage or fall from most areas, the water is lying in the roadways and running back in against building foundations, softening them and intensifying the possibility of even more severe damage during the winter and spring frosts which are coming. It is mandatory, therefore, that repairs of much larger magnitude should be carried out as soon as possible.

Mr. Speaker, there is every indication that Bramalea Consolidated will drag out this matter through every court in the land. This might take a maximum of five years. Therefore York Condominium Corp. No. 8 is left with the problem of having to raise enough money for the repairs now.

From all the above information there appears a big question: If Ontario Housing Corp. put up the land, CMHC secured financing and the government sponsored the building under the HOME plan, how did such a badly planned and executed service system ever get installed? Having in the past known the high standards which the Canadian home builder had to meet in order to secure NHA approval and CMHC financing, I am sure that they would want to be made aware of the plight of the homeowners of York Condominium Corp. in order to push for remedial action and reparation.

Mr. Speaker, that is just one of the problems that has been brought to my attention by the homeowners in Etobicoke.

Now, Mr. Speaker, I am sure that the minister must have a report on problems in existing condominiums which is dated Nov. 8, 1974, from the borough of Etobicoke special committee on housing.

Mr. E. R. Good (Waterloo North): Has the minister got that?

Mr. Braithwaite: Has he got that?

Mr. V. M. Singer (Downsview): He reads little else.

Mr. Braithwaite: Mr. Speaker, this is the culmination of many meetings of condominium owners and a committee set up by the council of Etobicoke. It just came to my attention yesterday. I notice that many recommendations are made with reference to the problems that condominium owners are having.

In closing, Mr. Speaker, I would ask the minister if he wouldn't seriously consider setting up some sort of ongoing dialogue between the owners of condominiums, management and builders of same, with the government having some say—through some sort of individual setup, such as an ombudsman—so that problems, such as those I brought to the attention of the House in discussing the trouble that York Condominium No. 8 is having could be discussed without having to go to lengthy and costly litigation. Above all, I am sure that if the recommendations in this report are earnestly studied and carried out by the minister's staff, many of the birth pangs that condominiums are going through now would never happen.

Mr. Speaker, I conclude my remarks by saying that I support the bill. As I've said, it's my feeling it's kind of late now. A lot of the thinking in the bill should have been put before this House long before condominiums were allowed to expand as they have.

Mr. Speaker: The member for Peel South.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I'd like to speak for a moment or two on the bill, to commend the minister for bringing this bill forward. It's some five or six years, I think, since the original one became operative, and certainly there was a shake-down period. There were some problems that surfaced as time went along and these units came into acceptance by people. They have now become quite a significant part of the total housing picture. There was quite a thrust forward with them in Mississauga.

It was through the acceptance of these, and some of the problems that came about, that I believe the changes in this new Act—the new amendments—have come forward. I think I had the same problems as some of the previous speakers—the usual ones; the construction deficiences, which aren't solely confined to condominiums but afflict all types of accommodation, and those in the area of administration. There seemed to be some vagueness in the rules, or in the legislation that set up these condominium corporations. Other problems were with respect to the common expenses and the utilization of common elements. Delay in registration was a big problem.

I think the amendments now go a long way to dealing with those problems; I see reference to them. I've had correspondence and inquiries. For instance, one person asked about the difference between a rule and a regulation. Well I presume one section permits the management to make certain decisions, and if the membership at large is not satisfied with that, could the minister explain whether section 6(3) then becomes the operative one, where 25 per cent of the owners of common elements can get together and clarify any of these problems where they feel that perhaps management or directors as have been named, have overstepped their authority. Perhaps he could provide clarification on that.

I think this goes a long way—I know it does—toward clearing away some of these problems. I am pleased that in correspondence the minister has stated in effect that even these current changes aren't carved in stone, and if there is demonstrated need there will be further amendments to them. I commend him for bringing it forward. I very much appreciate knowing there is possible flexibility as need may arise, and I know it will be well received by both those who are purchasers of condominium units and also the municipalities and the producers of them.

Mr. Speaker: The member for Downsview.

Mr. Singer: Mr. Speaker, in joining this debate, let me tell the minister, or tell the minister through you, that together with my colleagues we are going to support this bill in principle I am not going to be nearly as warm as the hon. member for Peel South was, about saying what a noble job the minister has done.

Mr. Kennedy: It is noble.

Mr. Singer: Well, it isn't a noble job; it has been too long in coming. There have been complaints in existence for a long time. The member for Peel South said there were complaints. If he wants, I'll read my whole 1972 speech over again. I am sure the minister has done very little else since he began to consider amendments to this statute.

Mr. Ferrier: Wouldn't the member say he was doing a noble job in that speech?

Mr. Singer: Oh I certainly did. It wasn't this minister. The responsibility for condominiums has been bounced around from one minister to another. I was looking for an adjective to describe the character of the ministers who have had this under their supervision for a while, but I won't be that unkind. It just hasn't been the most popular statute in the ministry. There have been a variety of ministers who have attempted to cope with it, and nobody has come up with anything until now.

Mr. Kennedy: The statutes brought forward acceptance of units, though.

Mr. Singer: Oh, yes.

Mr. Kennedy: Condominium units now get accepted.

Mr. Singer: Well, since the member for Peel South is so anxious to commend the government, perhaps I will have to read my 1972 speech over again and tell him about the 12 points I suggested should be looked into at that point—

Mr. Kennedy: I will take it as read, much as I'd like to hear it. I'll take it as read.

Mr. Singer: It may be that this debate will have to go on for a lot of hours until I can get through to the member for Peel South, but perhaps if he will take it as read—

Mr. Kennedy: As read and dismissed.

Mr. Singer: —and agree that it has taken a long time to bring forth these amendments. I will try to cut my remarks rather short.

I want to bring to the minister's attention —and I don't know whether he has seen this or not—a letter I received from a group of constituents of mine called the Forest Hills Community Townhouse Residents Association, 73 Plum Treeway Cresc., in Willowdale, Ont. These are people who have bought units in a condominium development on the west side of Bathurst St., between Sheppard and Finch Ave., if that will help the minister to locate it.

In any event, the development was built several years ago but really dragged its feet until this past year because the condominium units were not selling so well. Then, as a result of a change in market conditions, sales picked up suddenly. It was built by Peel Village Developments Co. Ltd.

I have here a copy of a letter, dated Nov. 25, that this Community Townhouse Residents Association sent to the developers, Peel Village; it's not a long letter, and I think I will read a substantial part of it into the record.

Dear Sirs:

> The occupants of the townhouse units of Forest Hills community of Peel Village Developments Co. Ltd. have patiently awaited the completion of the project, its registration and transfer of title of each of the units to its purchaser. We have endured considerable inconvenience since occupying our units in the early spring and summer of 1974, but as long as apparent progress was being made we were prepared to tolerate it in the expectation that total completion, including that of landscaping and communal recreational centre, would occur about the end of September in keeping with our occupancy agreements.

It is not an unreasonable letter. It is not a demanding letter.

> We have observed the tremendous amount of initiative and effort brought to bear to bring to completion as soon as possible the second phase of the townhouses, while requests for repairs to our units have in many instances gone unheeded for months, and now the telephone number previously available to the construction office is out of service.

If I could get the minister's attention for a moment or two during this debate, I don't think that's an uncommon kind of a complaint. They wanted to ask for repairs and the telephone number of the condominium developers just wasn't in service. It is pretty hard to complain when you can't even telephone somebody, eh?

> Secondly, street cleaning and maintenance has been undertaken to a low standard such that debris is left to accumulate for prolonged periods of time, street name and parking signs or pavement markings are non-existent and pavement repairs, such as in front of units 3 to 13 Plum Treeway, were done so shoddily as to completely obliterate the concrete drainage channel.
>
> The prolonged delay and continued uncertainty of the date of achieving completion, registration and transfer of title—

This comes through time and time again. My colleagues have told the minister about that, and I am sure the NDP speakers have spoken about that. Even the member for Peel South, with reluctance, said it was terrible a while back, but hurray for the minister he is now going to do something about it. But these complaints are still there and as I look through this Act, I am not sure that the minister has put enough teeth in it

to enable these kinds of complaints to be dealt with properly.

> The prolonged delay and continued uncertainty of the date of achieving completion, registration and transfer of title, coupled with the completely unacceptable provisions for membership fees and regulations for the recreation centre [and that's a very serious concern in these developments, in this one particularly] have prompted us to take concerted action to safeguard our own best interests. Accordingly, at a recently convened meeting of the occupants–

Not of the association, just of the occupants, the people who were there–I guess as tenants, in expectation of becoming owners when all the legal work catches up.

> –it was agreed that Forest Hills Community Townhouse Residents' Association be formed for the purpose of acting on behalf of the occupants in matters of mutual concern. This communication represents the first action of the association on behalf of its membership. There are five matters concerning us on which we would appreciate a response without delay.
>
> Registration and transfer of title: [In other words: How much longer do we have to wait until the legal work is caught up?] Please advise us of the date on which the condominium declaration and description were submitted for registration in the land registry office for the land titles division of Toronto and York. Please advise us of the date on which you now expect registration to be completed and the closings for the transfer of the title to take place. [And, as I say, this goes on. It's a common complaint through all of these developments].
>
> Condominium agreement: Please forward us a copy of the draft condominium agreement which we will be expected to sign on closing.

One would think that that should automatically come forward, unless the developer is not anxious to have that condominium agreement examined for too lengthy a period, or that ability to get advice on it be provided by reason of putting copies in the hands of the people who are concerned.

> Please confirm the common area charges for each unit and advise us of the services that will be rendered for them.
>
> Please advise us as to the date on which the landscaping of the central open space area extending westerly from the recreation centre will be completed, and the nature of the landscaping to be undertaken.
>
> The members of our association have recollections of being advised by your salesmen prior to submitting their offers to purchase their units that the recreation centre: 1. Would be available for the exclusive use of the residents of Forest Hills Community project; and 2. be available for fees in the order of about $25 to $35 a year per family. From the application forms now available it is apparent that the recreation centre is to be operated as a private commercial athletic club, available to everyone willing to pay the membership fee. The membership fee structure is very complex and based on the presumption that all members will know precisely what facilities they wish to utilize, nor is there any indication that the fee would be for membership involving the use of all of the facilities.
>
> We find the rates quoted to be completely out of line with those of any other condominium project in Toronto, and in fact in excess of the fees and charges by most public or private recreation centres. None of our membership is prepared to pay these excessive fees, nor to accept the notion that junior members be excluded from the use of the exercise room facilities. Further, we do not regard it to be unreasonable to expect that all the residents in the Forest Hills Community project have a voice in the determination of the provisions to be made for the use of the recreation centre.

And I can recall, when they were having a tough time trying to sell these units, or even to rent them, one of the big things talked about was the community centre.

I'm glad the hon. member for Don Mills (Mr. Timbrell) has just come in, because he probably can recall of his own knowledge when he was a member of the North York Council, some of the problems that existed in relation to the Forest Hills condominium development on north Bathurst St. I am just reading to the minister now a letter I have received from the residents complaining about the lack of protection that the Condominium Act has provided for these people.

The hon. member for Don Mills has had quite a bit of experience from the local council point of view, and a lot of condominiums were being built in North York during his time on council and a lot of complaints were coming forward to the North

York council. That's why I question the validity of the contribution made by the hon. member for Peel South, saying: "Isn't the minister wonderful? He's finally bringing forward some amendments to clean up—"

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): I think he's right though.

Mr. Singer: Yes, well—

Mr. Kennedy: Right on.

Mr. J. R. Breithaupt (Kitchener): In all modesty.

Mr. Singer: Yes, he's got a certain astigmatism and blind lack of objectivity when he comes to address matters like that.

Mr. Kennedy: He will bring more if the member needs it.

Mr. Singer: It's a point of view to which I don't entirely subscribe.

"We find the rates to be completely out of line and none of the membership is prepared to pay these excessive rates." Well there was misrepresentation. They were told there was this beautiful recreation centre and they were all going to be able to use it for nominal fees and so on, and it isn't going to turn out that way.

> Please advise us when the decision was made to operate the recreation centre as a private commercial venture independent of any influence of the existing or newly formed condominium corporation or corporations; of the date and minute of the general meeting of the existing condominium corporation at which arrangements for construction, operation and membership for the recreation centre were discussed and ratified; the provisions you now contemplate for permitting the existing or newly-formed condominium corporation to become involved in the operation and programming of the recreation centre and the possible acquisition of it over time as an addition to the lands held in common; and fourthly, of your willingness to permit all existing Forest Hills community residents to the free use of the recreation centre facilities for the present to the date of the final closings, without prejudice to our right to continue discussions concerning membership fees, rules and regulations for a longer term.

Then something under heading "Gestures of Goodwill"—I don't know if there are any such things as gestures of goodwill made in transactions of this type, but paragraph 5 of the letter:

> "Gestures of Goodwill: Please advise us of any gestures of goodwill you are contemplating in recognition of the inconvenience we have endured, such as:
>
> I. The waiving of an occupancy fee for the period between Sept. 30, 1974, and the time of final closing; and/or the return of interest accrued on moneys held on deposit from down payments made upon initial occupancy in keeping with anticipated amendments to the Condominium Act; and/or the application of occupancy fees paid toward the increase in down payments, also in keeping with anticipated amendments to the Condominium Act."

Well this is backed up by four or five pages of signatures. I presume that most of the occupants signed this and join in the common plea. They sent it to me because the situation exists in the riding of Downsview, and I now have the opportunity to discuss it here with the minister.

I say that the government has dragged its heels very badly on this. When the Act first came in we expressed our very grave doubts about several gaps in it. Again, certainly I know there are many other speeches, but I can point to my own remarks in 1972, in June of 1972, when I put forward a 12-point list of complaints about the functioning of the Act. Well here we are at December, 1974, and some of these things are now being looked after.

I don't think the minister is getting to all of them; and I would hope, Mr. Speaker, that he is going to allow this bill to go to standing committee, because I know there is a lot of interest and concern all over Ontario about how the Condominium Act is going to function in the future.

There are a lot of people very interested. I am sure these people from the Forest Hills development would be interested in coming down and talking, as would a number of others throughout the province. I don't feel that this bill, now that it is here in its amended, amended form, should be unnecessarily rushed through the legislative process. Now that it is here, let it have a good public examination. I am sure the minister, in listening to the remarks that have been made this afternoon by my colleagues and the other members of the opposition here in the House—even if he can sit through some of the remarks of the member for Peel South—will look even more closely at what he is presently presenting to us.

Mr. Speaker: Are there any other hon. members wishing to speak to this bill? If not, the minister.

Hon. Mr. Clement: Thank you, Mr. Speaker. I have listened with interest to the comments offered by the various members in connection with this debate.

The condominium statute, of course, when originally introduced, as I understand it was a matter of regulating and setting out the ground rules, Mr. Speaker, as to the requirements prior to and upon registration of the declaration. It soon became apparent, after condominiums became somewhat of a popular item, that areas of questions and problems were beginning to develop. Not only did they develop as to the relationship between the eventual owner and the condominium developer, problems developed insofar as house rules or bylaws of the condominium are concerned. Many people found themselves involved in condominium living while not really understanding the concept.

The problem of condominiums has really been a multi-faceted one, and this legislation, which in original form was introduced about one year ago, was the result of the various problems that came to our attention. The members will recall we introduced the bill in 1973—the month escapes me—and we took it to the administration of justice committee. I think that was one of the most interesting sessions of a standing committee of this House that I have ever attended. We had an opportunity to talk to and listen to people who were living in condominiums. It is a whole new social concept.

At that time, Mr. Speaker, I made a point of asking I think every condominum owner who appeared before us if he or she would do it again if they had to, and they were unanimous that they would. I can't say that demonstrates the feeling of everybody living in this type of housing in this province or how they feel today, but it was interesting to me that in spite of a lot of their very serious complaints they still enjoyed the concept of this type of community or condominium living.

It became apparent to all of us at those committee hearings that matters were being drawn to our attention that we could not ignore and that the bill that was before the House at that time was not going to correct many of these situations. Accordingly, briefs were submitted, a bill was reintroduced this spring and my staff met with various people prior to and following the introduction of that bill.

I have no idea right now of the number of briefs they received but they met with various groups ranging from builders to condominium owners to condominium corporation officers, clarifying the issues in order that we might come forward at this time. Even in that period of time from June 25 until today, it has become apparent to us that certain amendments, even to this bill, must be introduced; hence my bringing this type of bill before the members for their consideration.

The member for Perth raised an interesting question. I don't wish to take up too much time of the House, but he simplified it by saying "one unit, one owner, one vote." That would certainly simplify it from the board of directors or condominium corporation type of arrangement. But I wonder if he knows, being a married man, what he has said, because who is going to exercise the vote if the condominium is registered in the name of the husband? You create all kinds of property rights—

Mr. Singer: Oh, come on.

Hon. Mr. Clement: It's an interest in real estate. Maybe the member for Downsview supports this, as one of the Liberal submissions was that for a condominium there should be one vote. Is that what he is saying?

Mr. Singer: I think it is a very, very good suggestion.

Hon. Mr. Clement: I think that's worthy of the member for Downsview and I'll make sure that I remind him of that at some future time.

Mr. Singer: I'm sure the minister will.

Hon. Mr. Clement: Then we can have a condominium voters arbitration board to decide who is going to exercise the vote. In any event, I found that was an interesting statement, and perhaps he and I can deal privately and discuss that so I might appreciate what his position is.

I would point out that there is a condominium corporation index maintained by the master of titles and the registrar of deeds. I gather from your comments that you felt there should be a central province-wide registry for some particular reason. I wanted to get that clear that I understood that.

I do intend to take the legislation before the standing committee. Mr. Speaker, I know there always seems to be a certain sense of urgency in bringing legislation before the

House, but to my mind and my experience, limited though it is, it is most educational and beneficial to all concerned to take this type of legislation before a standing committee of this House, where we can have the input from the people who are living with these problems, and who are really most knowledgeable insofar as these types of problems are concerned. I will be going before a standing committee of the House.

Mr. J. Riddell (Huron): That's good Liberal philosophy.

Mr. Singer: Has the minister any idea approximately when?

Hon. Mr. Clement: No, Mr. Speaker, I don't have any idea when. I would hope it would follow, perhaps, Bill 55, which as the hon. member knows is presently before the standing administration of justice committee.

Mr. Renwick: That won't take long. That shouldn't take long.

Hon. Mr. Clement: Yes, we are almost through section 1 in that bill. We did five clauses yesterday, I think, under section 1, and we are moving right along to section 2, hopefully, next week.

Mr. Renwick: It only took 3½ hours to get that far.

Hon. Mr. Clement: That's right.

Mr. Singer: This will be in the spring, then.

Hon. Mr. Clement: The member for Sandwich-Riverside detailed a problem, I believe it was at Roseville, with a condominium development in his area. He asked what effect the bill before the House today would have on this situation—as I understand his question put to me. I would refer the hon. member to section 14 of this particular bill, which deals with the sale and leasing of units. The situation which he has described will certainly be minimized under the new legislation.

As to the withholding of the registration of the declaration, there is machinery built in here which recognizes that problem. I has resulted in people moving in and buying, and others moving in and remaining as tenants, while for some particular reason the developer has not wished to complete, or for some reason has not completed, the registration of the declaration.

This amended bill, of course, does not in any way affect the price of the units or the rent at which units can be rented. There is provision in the legislation by which units can be rented up to a certain term, but only to a bona fide purchaser—someone who is going to buy the unit which he moves into, at some time in the future.

There were comments made about letters written about problems dealing from sewer collapses outside condominiums. I pass no comment on those. I submit that they are probably not directly relevant to our discussions here today.

I am looking forward to the matter going back to committee, Mr. Speaker. I have had discussions with parties on this as recently as yesterday and I think that we are all aware of the common problems that are involved. I think we are learning a little bit about condominiums, Mr. Speaker, and I think the legal profession of this province is learning a lot more about condominiums. I practised in an area for a number of years and must confess that to my knowledge there is only one down there, and I can only thank goodness I was never consulted on it, because I just had absolutely no knowledge of this type of social living.

I think members of the bar are like the member for St. George who said she has never really advised anybody on it. I admire her for her candour. She said that really, in essence, she didn't want to because it's such an involved field. She is quite modest. I haven't heard the member for Downsview make a similar remark. I presume he is much more experienced in this area than certainly the member for St. George, and certainly much more experienced than I am—

Mr. Renwick: He is equally modest.

Mr. Singer: I am equally modest; I have done the odd one.

Hon. Mr. Clement: I have enjoyed the commentary which has come across the floor during the debate and I will look forward to renewing these efforts when we get before the standing committee of this House.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this is to be referred to the appropriate standing committee—the administration of justice committee.

Agreed.

Mr. Singer: Run out of business again, eh?

Mr. Renwick: This is interesting. The government looks as though it has run out of business. Why don't they introduce a few more bills to fill out the time between now and 6?

Hon. Mr. Clement: Let's see what we've got here.

Mr. Renwick: Let's give third reading to Bill 148; that will fill in a few minutes.

Hon. Mr. Clement: I wonder, Mr. Speaker, if I might request that the bill we've just been debating might be considered the bill before the House; that is, the one that says, "reprinted for consideration by the committee of the whole House," bearing the amendments. I wonder if I might make that request here now, Mr. Speaker, so there is no argument or misconception about it later.

Mr. Breithaupt: It has been the custom, Mr. Speaker, to accept the amendments when the bill has been printed; we certainly have no objection to that bill, as reprinted, being the one that is going downstairs to the standing committee.

Mr. Speaker: That can be formalized when the committee meets too.

THIRD READING

The following bill was given third reading upon motion:

Bill 148, An Act to amend the Minister of Community and Social Services Act.

ONTARIO ENERGY CORP. ACT

Hon. Mr. McKeough moves second reading of Bill 158, An Act to establish the Ontario Energy Corp.

Mr. Riddell: Mr. Speaker, Bill 158 sets up an Ontario Energy Corp. to invest or participate in energy projects, including development and research. I trust you knew that, Mr. Speaker, but in the event that you are not familiar with the contents of the bill, I will briefly summarize it and then give some brief remarks afterwards.

In his introductory statement, the minister mentioned as a possible first priority the exploration for and production of natural gas, and therefore the powers of the corporation would have to extend, and would extend, beyond the borders of Ontario.

Also, he mentioned that the small amount of insurance—probably $300 million—that could be obtained on the Mackenzie River valley pipeline, a proposed project estimated to cost $7 billion to $8 billion, might be supplemented by a guarantee of some of the difference by the energy corporation.

The corporation will be a Crown corporation with some of the powers under the Business Corporations Act, a structure more or less like that of a normal business operation, and with a normal business operation like Ontario Hydro, not for profit primarily, of course, but to obtain energy for Ontario users. It will risk losses or gain profits in its investments. It is not to compete with private interests but to supplement or jointly venture with them in energy projects.

The capital structure is set out in such a fashion that two million common shares without par value will be issued for such consideration as the board may from time to time determine, and 20 million special shares without par value may be issued in one or more series for such consideration as the board may determine.

The government is to put in $100 million. It will all be government money at the start, but later it is hoped to attract private investors—not more than 10 per cent can be non-resident Canadians—and at all times the government will hold a majority interest.

The five directors, all Canadians, will be appointed by the government. The head office shall be in Metro Toronto. The setting up of the corporation at this time is prompted by the increasing seriousness of the concern over the adequacy of the supply of energy to Ontario.

The minister stated that the federal government's actions regarding energy taxes had increased the need for the energy corporation. It is to be hoped, however, that the energy-producing provinces like Alberta will shortly weaken and reduce their royalties or comparable action as the federal government has reduced its taxation levy in its last budget over the May budget.

The powers of the corporation are very broad, Mr. Speaker, and I feel that the minister should state precisely how it will function so that the public will have a better idea of what it will do. He also stated that the public will expect the five directors to be superior, selected on their merits, not on their loyal and faithful party service.

Mr. Edighoffer: Good idea. Very important.

Mr. Riddell: Now, while we are pleased to support the idea of an Ontario Energy Corp., Mr. Speaker,—

Interjection by an hon. member.

Mr. Riddell: —we are very uncertain and displeased with the farreaching statements made by the minister as to where the priorities of this corporation will lie. So far the minister has only given broad concepts pertaining to the corporation, whose activities could include everything from financing pipelines, to guaranteeing investments by oil and gas companies for research, to initiating resource projects of its own. While the Ontario Energy Corp. isn't without some hope of being able to promote such policies, it would be more welcome if specific goals for the corporation could be offered.

Thus we must stress the point that while this bill would form a convenient vehicle for the investment of public funds in energy developments in the years ahead, its function must be more precisely defined by the minister. While the minister has stated in his statement on the corporation that it would invest or participate in energy projects including development and research, he has said nothing concerning the role of other energy sources such as wind, solar and geothermal forces in the investment of the corporation.

I was interested in the statements made by the minister that the corporation's first priority should be to assist in securing adequate supplies of natural gas for the province. Priority is being put on gas because the Ontario government foresees a shortfall in supply within this decade. In future years, the minister went on to say, and I quote, "It may be 10 years away—the corporation could become involved in other forms of energy development utilizing solar, wind and geothermal forces."

Why does the minister, Mr. Speaker, feel that alternative sources of energy should only be researched and developed after the gas supply has become depleted? Why is the minister so obsessed with the spending of taxpayers' dollars to expand and construct nuclear power plants when electricity could be available practically free of charge, and certainly free of pollutants, with an equivalent expenditure into the research and development of alternative sources of energy? Does it not somewhat embarrass the minister, Mr. Speaker, to know that our neighbours to the south are pouring millions of dollars into the research and development of solar energy, whereas north of the border solar energy technology has not yet been given priority?

The minister, of course, is going to respond by saying that this is a federal government responsibility, and certainly I would agree that the federal government should be researching and developing alternative sources of energy, but because the Ontario government feels that it has something to sell by way of nuclear-powered sources of energy and that the supply of uranium seems to be quite ample, the federal government is seemingly prepared to lay all its eggs in one basket despite the uncertainties of the potential dangers of this source of energy.

What a pleasant change it would be, Mr. Speaker, if the Ontario government decided to become leaders in this entire field of energy, rather than simply proponents of nuclear-powered sources of energy, placing its entire reliance on the uranium source.

Mr. Speaker, in a statement to the House concerning the formation of the Ontario Energy Corp., the minister has stated that he had proposed, back in June, 1973, that a fund be established to commit provincial resources for projects which are deemed to be potentially of importance to this province and which are not being adequately dealt with at the present time. If any energy sources are being ignored today it would be energy sources that do not rely on various forms of combustion, fusion, or whatever. However, the minister stated back in September of this year in a speech to the Chatham Rotary Club that in future years, perhaps 10 years away or more, the Ontario Energy Corp. would become involved in other forms of energy development such as solar, wind or geothermal forces. It would seem to me that now is the time we should be spending more research dollars in developing these new forms of energy. After all, does the real energy problem today in Ontario and the industrialized world not lie in the need to develop indefinitely lasting, ecologically sound sources of energy such as wind or solar energy?

However, Ontario, the largest energy-consuming province in Canada, is busily constructing nuclear power plants which involve many risks with which we are not yet familiar. In fact, the most significant development in Ontario in terms of energy is the vastly increased role of nuclear power. It is estimated that in 1980, approximately 24 per cent of Ontario's total energy supply will be nuclear, compared with one per cent in 1970.

We have been warned on numerous occasions, however, that the accidents at nuclear plants could range from relatively small in-

ternal releases of potentially lethal doses of radiation to complete failure of some of the so-called failsafe systems. Morever, many of these systems have not been and cannot be tested under actual situations, so they can fail in time of need.

Further, a very important problem regarding nuclear power relates to the storage and disposal of waste radioactive products, many of which have half-lives of up to 25,000 years or more and emit harmful radiation doses for up to a million years. A satisfactory solution to these questions, Mr. Speaker, must be found before there is a massive commitment to nuclear power.

Also, the minister has not said anything concrete regarding the part that energy conservation will play in the functions of the energy corporation. The functions of the corporation are to develop and research new forms of energy, but what about investments in energy conservation? While we have predictions by the Energy Ministry that energy consumption will increase four times by the turn of the century, the Ontario government has not given much of a lead in this matter so far. Unless energy is used more sparingly and sensibly in the future, major shortages will occur, and there is no hope that the discovery of limitless supplies of energy will be guaranteed with the creation of the corporation.

If a comprehensive and serious energy conservation programme was mounted, we could cut demand growth enormously by the end of the century and stabilize consumption after that. Not only would this be a saving of energy per se, but we would also be preserving the environment and saving millions of dollars of capital investment required to discover, develop, convert and transport other sources of energy. A major concentration in energy conservation would seem to be a priority of any such energy corporation.

Thus, while the minister has stated that the role of the corporation will be gradually developing one, we do not yet know where the priorities of such a corporation will be. We believe that more will have to be said by the minister on the specifics of the energy corporation before a time evaluation can be presented, and I would hope that the minister would see fit to refer this bill, after second reading, to a standing committee of the Legislature. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, we in this party, and myself in particular, are somewhat sceptical of the minister's venture in the formation of an Ontario Energy Corp. I think inherent in what the member for Huron said a few minutes ago is that he himself has a certain scepticism of what the minister is about. He is prepared to give the government more good faith than we are in this particular venture.

It's a strange thing that this is really the idea of the Minister of Energy at the time when he was making his comeback to a position of importance in the provincial government. It was included, as he has said, in those recommendations which he put forward when he was parliamentary assistant to the Premier (Mr. Davis) and was making his recommendations with respect to an energy policy for the government of Ontario. That was a long time ago and things have changed a great deal since that time, but of course the minister is unable to reflect in his thinking the changed circumstances which may have made some sense at that time but which do not make any sense today.

The funny thing about the way in which the minister goes about this kind of a problem is that if he would take the trouble, as unfortunately I have had to take the trouble, of reading a series of his speeches over the last several months, he would see that they are the most contradictory documents that one could possibly imagine. Each one of them purports to detail and explain the energy policy of the government of Ontario, in what is admittedly a very complex field. And each time he deals with it he uses different prepositions and propositions and different assumptions about the nature of the energy problem as we see it in the Province of Ontario.

It's quite clear from what the minister has said, and from the plans of Ontario Hydro and from the problem that results from the control of uranium being in the hands of the federal government, unwisely and invalidly at this time so far as I am concerned, and his evident liking for the private industry exploitation of the uranium resources of the Province, that the Ontario Energy Corp. is not going to be involved in the development of the one indigenous resource that we have to produce electric power in Ontario for the future, namely the reserves of uranium.

If one would think for a moment about what the minister has been saying over these many months about the fact that we have no indigenous resources of natural gas; we have no indigenous resources of oil, we have no

indigenous resources of coal—as though we were the poor person in the Canadian energy scene. What we have, of course, is the most valuable future resource for energy in the world. If my understanding is correct, and I have to take the figures from what the ministry has said, and from what has been published in the press on numerous occasions, as I understand it, we've got 80 per cent of the proven reserves of uranium within the confines of the Province of Ontario. And that represents, I think—

Hon. W. D. McKeough (Minister of Energy): Eighty per cent of Canada.

Mr. Renwick: Eighty per cent of proven reserves of what is in Canada. I understand that that represents something in the neighbourhood of 20 per cent of the world reserves of uranium.

When you get into these nebulous statements about percentages in that kind of field, you can give and take a few percentage points, Mr. Speaker. But my point is very clear, that the government of Ontario's responsibility to the people of the Province of Ontario is with respect to the orderly development of the uranium resources for the purpose of producing electric energy. If it did nothing else in the energy field but devote itself to that very complicated, difficult field in which immense resources are going to be required for technological development, immense resources are going to be required in order to preserve the environment from the impact of the nuclear power plants that are going to be built across the province. If that were the scope within which the minister was directing his attention, one could say that, yes, perhaps an Ontario Energy Corp. makes sense—perhaps.

But I want to try to emphasize, before I move on to a number of other areas that are of concern to me, the extent of the responsibility of the government in that field about the production of electric energy. I don't particularly know where I picked up this article, but that's, for practical purposes, irrelevant.

> The importance of nuclear power to Ontario, which imports 80 per cent of its energy needs, has been underlined in a special Task Force Hydro report by Chief Engineer Harold Smith. Uncertainties and shortfalls in imported energy resources will almost certainly mean increasing emphasis on the use of indigenous resources.
>
> In Ontario, the only substantial unused energy resource we have is uranium. And the only practical technique for its use at least for many years to come appears to be through conversion to electricity. Great emphasis must be placed on increasing use of uranium, not only because it is less subject to price increases [which is a point the minister has made from time to time] but even more important in the event of a primary energy shortage, it offers Ontario maximum security.

It goes on and makes some other comments, and then refers at the end to what the Premier says, that energy is crucial to our industries and to the employment of our people, is a vital necessity for the physical comfort and well-being and, indeed, the physical survival of the people of Canada, and then a final paragraph:

> Taking a long-term view, the federal energy study predicts that electric energy could provide 90 per cent of all energy needs in Canada by the year 2050. Electricity will undoubtedly be used extensively to provide power for rapid transit . . .

The minister at no point, in any statement that he has made about the Ontario Energy Corp., has indicated a role for the Ontario Energy Corp. in the field of the development of the technology for the use of uranium in the generation of electricity, or for the purpose of protecting the environment against the obvious environmental hazards which are going to be a necessary ingredient of the development of nuclear power in the province. That would take all the available resources of the Province of Ontario that we can afford to use for energy purposes.

That isn't for one single moment to discount the role which Ontario must play in a federal system in working out a national energy policy. Nor are we advocating, in any sense, some insular provincial view about the future use of the electric power which would be generated by the use of that particular indigenous resource. Indeed, as everyone knows, the hydro-electric power system already is an interconnected grid which goes to the east and west of the Province of Ontario, and it of course supplies, from time to time, substantial amounts of electric power to the United States of America. So the purpose and the policy which we are talking about and advocating can in no sense be called insular.

This I guess then requires one to move on to other sources of energy and to try to select, in the absence of any statement by the minister, what he intends to do with the funds which he is going to put into the Ontario Energy Corp. There is no very clear statement of the number of dollars he is thinking about. There is certainly a significant number

of shares to be issued and allotted, but in no way is there any clear indication of the number of dollars which the minister projects or expects to use for the purpose of financing the Ontario Energy Corp.

There appears, however, throughout, in the sort of free-enterprise tradition of the last century within which the Minister of Energy continues to live, some idea that moneys—and the Act states, out of the consolidated revenue fund of the Province of Ontario—are to be put into the Ontario Energy Corp. for the purpose of backing up or consorting with the private industry for one purpose, and one purpose only, and that is, the exploitation of the gas reserves in the top part of the Mackenzie Valley and in the Arctic areas.

If one reads the minister's statements, which he has made over a long period of time—and I have a pile of them here—he has a sort of hypnotic fixation that somehow or other the government of Ontario must be involved in the risk-taking game of the development, production, transmission and distribution of gas from the Mackenzie Valley pipeline It must be so, because there is not a single statement in his bill about the purposes and objects of the corporation other than language simply consistent with an exploitive view of what the Ontario Energy Corp. should be engaged in. It is quite contradictory to the statement made by the Premier, as to the policy of the government of Ontario, when he spoke at the first ministers' conference in January of this year. On Jan. 22, in Ottawa, the Premier of Ontario made his statement about Ontario's conception of the fundamental objectives of an energy policy. I'm not going to read the speech, as it was circulated to everyone, but his summary is rather interesting:

> So there they are, Mr. Chairman, the four key elements in a national energy policy: [and I presume that he means the policy of the government of Ontario] the capacity for self-sufficiency; the equitable distribution of costs and benefits; maintenance of the environment; and the conservation of resources.

Now, in the objects which the minister set out in the Ontario Energy Corp. there is not a single reference to the maintenance of the environment; there is not a single reference to the conservation of resources; there is not a single reference to the equitable distribution of costs and benefits. It would appear to be that the minister hangs his thought upon the stated and restated proposition that his objecive is something called "this capacity for self-sufficiency," which I think in the minister's terms which he uses from time to time means an adequate and secure supply of natural gas and oil.

Mr. Speaker, perhaps this might be a convenient time for me to adjourn the debate. I could resume again whenever you see fit.

It being 6 o'clock, p.m., the House took recess.

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Legislature of Ontario Debates

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Evening Session

Speaker: Honourable Russell Daniel Rowe
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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. Speaker: I presume we are carrying on with the order of business we were engaged in before 6 o'clock when the member for Riverdale had the floor. He may continue.

ONTARIO ENERGY CORP. ACT
(concluded)

Mr. J. A. Renwick (Riverdale): Mr. Speaker, before the supper break I was almost on the point of moving on to what I believed to be my second point, but fortunately during the supper break I was able to think up a few more things to say on the first proposition that I was establishing, so I think I will revert briefly to it. There are, indeed, two or three questions that I want to raise.

The proposition that I was establishing for the minister was that there really is no role in Ontario for the kind of venture that he, through this Ontario Energy Corp., feels that this province must embark upon. I was indicating that within the field of our own indigenous resource of uranium, with whatever water power is still available in the province for exploitation through the development of hydro power, is quite an ample field for the resources of this province to be devoted to in the field of energy—not just for our own purposes but for the whole of Canada.

I was citing very clearly the obvious opinion that with that indigenous resource within our own boundaries, we are the ones who, in fact, can do more than anyone else to develop what the Premier (Mr. Davis) in one of his statements—in a statement at the first ministers' conference, I believe—indicated was an essential ingredient: A safe, modern, progressive technology for the production of electric power through the use of the uranium resources of the province, and for the protection of the environment in the course of that.

I say to the minister that provinces and territories which have other resources have the primary obligation to develop those resources, for their own benefit and for the benefit of the rest of Canada. We in this party agree basically with the principle that there should be a national energy policy. We agree basically with the position of the government that probably in the final constitutional analysis the federal government has the power to regulate the price of oil and gas at the wellhead. Those are statements which can be argued about, but we tend to associate ourselves with the government's position on those questions.

I think the difficulties—if I could use that term—which are now being experienced at the Pickering plant and the delay inherent in that which will be caused at the Bruce plant and at Nanticoke, with respect to the Candu nuclear reactor, are sufficiently serious to recognize that whatever moneys the province has should be used to stimulate the kind of research and development that will be necessary for the correction of whatever the fault and error is.

There was the strangest statement on CBC radio at 10 o'clock on Monday night last that Ontario Hydro—and therefore the minister—believes it has nothing to do with anything except faulty installation. Yet the government is proceeding with very expensive modifications, which would appear to me to indicate that it isn't just faulty installation but that there is something potentially seriously wrong with the generation of power at the Pickering plant.

We've had these very gentle statements from time to time by the minister as to the extent to which those plants are being affected by what is taking place. But if the CBC report was right on Monday night, the government is talking about several hundred thousand dollars—I think the figure used in the radio programme was $700,000—to carry out the modifications. There were indications as well that it was going to result in a delay in the Bruce plant being completed which was measured in some years. I don't know whether it was from 1976 to 1978, but it was a period of time during which there was going to be a substantial delay. That problem should engross the total attention of the government of Ontario.

I use the difficulties at the Pickering plant only by way of illustration. It's all very well to compare the methods by which we generate electricity through the use of nuclear power as distinguished from the method used in the United States and as distinguished from the method used in Great Britain.

It's all very well to talk about the sale overseas of the Candu reactor. It's all very well to talk about the exploitation of the uranium resources by companies such as Denison Mines and the contracts which they entered into. I wouldn't be at all surprised that our capability to have within our control our energy needs is, in fact, going to lead to a cutback in the exports by companies like Denison Mines. It seems to me to be quite passing strange that Denison Mines says we are selling—wherever they were selling the last one to—to Japan in order to produce the funds which will allow them to develop their ore bodies in the Province of Ontario. I don't really think that that is the way in which we should be exploiting the uranium resources of the province, and I don't think that the enterpreneurial way in which Denison operates should be the pattern.

The government knows what our position is with respect to the uranium resources of the province. We happen to believe that they are vested in the people of the Province of Ontario through its government. We happen to believe, as the Premier and, indeed, the Minister of Energy (Mr. McKeough) do, that the Atomic Energy Control Act of wartime, which took the control of uranium from the Province of Ontario to the federal government, is outmoded and is probably invalid at the present time. We agree with that kind of statement about the position of the province with regard to its uranium resources, but we simply disagree totally with their exploitation by companies such as Denison Mines.

This comes back to the basic proposition which I've stated, that we do not need the Ontario Energy Corp. for the purpose of furthering the technological development over a period of time of the nuclear power resources of this province. That's what we should be doing; that's what we can be doing; and if the proposition which I quoted a little earlier, and I take the liberty of repeating, is true, then this is what we should be doing.

> Taking a long-term view, the federal energy study predicts that electric energy could provide 90 per cent of all energy needs in Canada by the year 2050. Electricity will undoubtedly be used extensively to provide power for rapid transit [etc.].

That's where the focus should lie. In any statement that has been made by this minister about this Ontario Energy Corp., there has been no indication whatsoever that that's the purpose for which that will be used. I don't think that the minister will even stand up tonight and attempt to suggest that yes, it will be used for that purpose.

When the very voluble minister wanders around the province making these various speeches, one finds first of all that he is trying to interest the private sector of the economy in research and development in the field of the production of nuclear power. He is asking them and urging them to submit bids with respect to the production of heavy water in the Province of Ontario. He is relying upon the major companies which are producing the power plants, such as Howden Parsons and others, to provide the technology, the skills and the abilities to produce that kind of modern nuclear power generating technology that is so very necessary. But nowhere has he said that one single cent of the Province of Ontario's money will be used for that purpose.

We don't agree, as my friend from Cochrane South (Mr. Ferrier) was saying a few minutes ago, with the reprivatization—which is the dreadful word coined by the Minister of Energy—of the electric power producing plant of the Province of Ontario; nor do we believe in this strange creature which the minister now is wanting to establish, which is neither flesh nor fowl. There is no way in which this energy corporation, in our judgement, is going to be of any use in doing what we here in the Province of Ontario can best do.

For the sake of the record, I am simply going to refer to the fact that the position of the Province of Ontario with respect to uranium and associated nuclear fuel, as stated by the Premier on March 26 of this year, is a statement with which we don't find any particular fault.

> We think it is absolutely essential that consistency in mineral policy and the necessity of Ontario assuring a secure supply of uranium dictates that Ontario should seek the restoration of the control of uranium and thorium to its jurisdiction. National concern should be fully satisfied if the government of Canada retains plutonium. The international and inter-

> provincial movement of uranium and thorium should continue to be under federal control. The policies of the federal government with respect to equity control of uranium mines is such that exploration and development is greatly impeded. Modification of these policies should be sought.

I don't know what that last part means, that the restriction of the ownership of equity capital in uranium mines is in some way inhibiting the development of those resources. We are the ones who should be developing those resources, much along the lines of the way in which I spoke a little while ago.

It was very clear again tonight on television that the result of the Prime Minister's visit to President Ford today has resulted in Prime Minister Trudeau telling President Ford, and certain of the senators with whom they met, that Canada was determined to phase out the export of oil to the United States and, I took it, was determined to phase out the export of natural gas to the United States. That caused some irritation because presumably they are going to put in some kind of controls on the use of gasoline.

But if that policy is true, then we are substantially on the way to self-sufficiency with respect to that kind of fuel, oil and gas. It seems to me that our major thrust, if it were in the field of uranium, would mean that oil and gas would become supplementary, and not the major sources that we are tending to produce by the kind of focus which the policy of this minister is about to adopt for the whole of the province.

I now want to pick up where I was just before supper time to indicate that he's going off on a frolic of his own. He wants some kind of a piece of the action in support of the Canadian Arctic gas pipeline or in support of the polar gas explorations and development. That, I think, is really what the minister is setting up this vehicle for. He seems to think that Ontario, for some reason or other, must become some minor form of multinational corporation and engage in the exploration and development through Ontario funds of the Mackenzie Valley pipeline.

Well, I draw his attention—I don't know what day it was—but William Wilder, of course, who was at the economic council meeting the other day, the chairman of Canadian Arctic Gas Pipeline Ltd., puts forward his own apologia that there's lots of gas in Canada.

Mr. R. G. Hodgson (Victoria-Haliburton): Lots over there.

Mr. Renwick: I don't know where this all comes out now, because if we are in fact going to phase out over a period of time our exports of gas to the United States, then the whole theory of piggybacking in order to get the Mackenzie Valley pipeline built is one which doesn't seem to us to have any validity any longer. It also seems to us that those companies which already have taken the risk, and to which the minister is so fond of extolling the virtues of the big oil companies and the great risks which they take and the tax benefits which we give them because of the so-called risk which they take, are the ones who should in fact be exploiting and developing the use of those Arctic tar sands and the gas in the Northwest Territories and in the Yukon Territory and not the government of the Province of Ontario.

My understanding is, from one of the speeches made by, I think it was, the ambassador from the United States to Canada when he was talking about this energy situation, is that the United States' multinational oil corporations have over $35 billion invested in Canada and that's more than is invested in any single country by all of the multinational corporations other than in Canada. A substantial part of the ownership of our oil and gas resources is already in the hands of the multinational corporations.

It's time, perhaps, if the minister is at the newsstand one of these times, for him to pick up the last issue and this current week's issue of the New Yorker magazine, and read the first of a series of articles with respect to the operation of multinational corporations around the world. It is probably one of the finest articles that has ever been written about the nature of the decision-making process of those corporations and I include in that the multinational oil and gas corporations.

Mr. P. D. Lawlor (Lakeshore): Yes, and particularly the benign face of capitalism across the face of the earth—child labour in Singapore.

Mr. Renwick: The government has simply got to say to itself, "That's their league. We will make them do it if they won't do it." And they will, of course.

They will go to any length to preserve their so-called profit picture. They will go to any length to recover the return on their investment that they believe is essential for them to continue as viable organizations and we don't need to have any part of it; and we don't need to support in any way what they are about.

The minister, when he introduced this particular strange creature that we are asked to approve tonight, made the oddest statement: "I make it abundantly clear," I wish he would drop that phrase, I would try to drop it—

Interjection by an hon. member.

Mr. Renwick: —for reasons which I think are obvious—"I made it abundantly clear in my statement on natural gas," and the members must remember that when he is talking about the Ontario Energy Corp. the only other reference that he makes to any kind of energy is, for practical purposes, natural gas and that's why I make the point that he's really going on this strange frolic of his own.

"I made it abundantly clear in my statement on natural gas that there's no disposition for the Ontario Energy Corp. to undermine the activities of the private sector, quite the reverse," he said. "It is not in Ontario's interest to further exacerbate the tensions between private energy corporations and government or to increase the uncertainty that afflicts the industry. The purpose of this corporation is to secure the interests of Ontario in the matter of energy supply, and this will not be accomplished by prejudicing the circumstances of those corporations—"

Mr. Lawlor: They don't make Steve Roman feel a bit bad.

Mr. Renwick: "—public or private, that are contributing toward this end. The Ontario Energy Corp. will, in a sense, stand between the public and the private sectors of our community."

We don't need the Ontario Energy Corp. to stand between the public and the private sectors of the economy of the Province of Ontario. It's the government of Ontario which is responsible for the policies which we are to carry out, and we don't need this strange kind of buffer that's going to be used to funnel moneys out of the consolidated revenue fund into a corporation structured as a multinational corporation.

Interjections by hon. members.

Mr. Renwick: "It will reinforce the contributions of both." Why, he sounds like the chairman of Dow Chemical. But it will not rush about attempting to displace private activities in those many areas where activities are efficient, appropriate, timely and relevant to the real needs of Ontario.

The minister is not talking about chicken feed; he is talking about a lot of money, and he is talking about providing it for some of the largest corporations in the world. He structures it as a profit-making operation, and he says, but of course we don't want to make any profit out of it.

So, what is he going to do? He is going to provide a large fund which is going to be made available and will find its way into the hands of the corporations, at the expense of the people in the Province of Ontario, and that supplementary financial assistance, in the many ways in which it will be made available to those corporations, will be made in such a way that the people who will benefit are simply the large corporations and their shareholders, and not the people of the Province of Ontario; except in the strange, roundabout way that the minister speaks of these matters: "Give them any amount of money, because we will have the benefit of the jobs which they create."

That's been the rationale for so long for the government giving these handouts to all sorts of corporations that it ought to have learned by now it is not a valid way for the Province of Ontario to conduct its business.

There's so much legal, garbled, gobbledygook in that bill that it's obvious that we could spend a lot of time chatting amongst ourselves, as the corporate lawyers—if there happens to be one under the gallery—or whoever dreamt up some of the phraseology, and it doesn't deserve our time in the assembly and we're not going to waste a lot of time about it. But the minister, in substance, is saying—and he might, in the New Yorker magazine of a few weeks ago, read about the New York authority; what was that fellow's name who practically ran New York?—

Mr. J. R. Breithaupt (Kitchener): Robert Moses?

Mr. Renwick: —yes, Robert Moses—think of the danger of establishing this kind of body. When the minister establishes this kind of body what will happen? The accountability to the Province of Ontario is reduced to one thing and one thing only, the tabling of an annual report in this assembly. There's nothing else.

There's nothing in there to say that the Minister of Energy will have to account for this corporation here. There's nothing to say that the funds will be out of moneys appropriated by this assembly. There's not a single thing about that. He is setting it up with a board of directors—from where they're going to come, I don't know. I don't know where they're going to come from. I suppose he will do the same as Mr. Macdonald, his

counterpart up in Ottawa, when he was asked about that kind of question, as to where they were going to get the people who would form their advisory body to advise them on Mr. Wilder's proposal for the Canadian Arctic gas pipeline consortium.

Mr. Macdonald was asked, has the department made a study that shows the Mackenzie line could not be built without piggybacking on the US demand—that is, that shows that the line could not be built to supply Canadian markets alone? He said: "I must say that my department has not undertaken that study. What we have done is told the consortium that they're going to have to make a case on this line before the National Energy Board, and we have formed an advisory committee on northern pipeline financing, and they will provide some of the financing information to the department that we will need to evaluate the National Energy Board. We have formed an advisory committee on northern pipeline financing and they will provide some of the financing information to the department that we will need to evaluate the Canadian Arctic gas consortium case."

Is this advisory group on financing from the private sector? This is a group drawn from the Canadian financial community attempting to pick them, so far as possible, from people other than the advisers of the Canadian Arctic Gas Study group. It must have been hard to find someone from the financial community without a vested interest in such a big scheme. How do you pick a Canadian chartered bank that is disinterested, Mr. Speaker? The answer is that you can't really. They are all interested in the operation, but at least these men are not direct counsellors of the consortium. The men the minister appoints to the board of directors of this energy corporation will be from that community. They will be oriented toward the private business community; they will be oriented toward large capital formations; their judgement will not be subject to the scrutiny of this assembly or any body that will publicly require them to account for their policies. The government is going to provide this money and it is going to insulate this mammoth organization so far away from the assembly that it makes a mockery of accountability to the parliamentary process. The minister must be aware of that because the bill so provides.

I have got so carried away, Mr. Speaker, I have lost the bill. No, I have got it. There is nothing in the bill which tells us what this corporation is going to do. The legal jargon is such that it can do anything it wants or it can do nothing. The funds are out of the consolidated revenue fund, without any control to be paid over by the Treasurer, which simply means that the minister is going to use it for purposes which are going to be adverse in the long run to the public interest. Again I quote from the minister's statement:

> As far as possible it is intended that the corporation will ultimately progress into a financially self-supporting and commercially viable enterprise.

He goes on to say that it is not going to make any profit. In some nebulous way it is going to protect the public interest. There is no way in which it can protect the public interest, because that is the purpose of this minister. I think in substance what I have been trying to say and what I have been trying to say on behalf of our caucus is that it is not going to be used for purposes within the Province of Ontario. It is no longer necessary with respect to the exploration and development of the Arctic gas and oil reserves of Canada. They will be developed by private industry or by the federal government or by the provinces and territories within which they lie.

If the minister wants, as he originally thought, to establish a fund out of which he could make a kind of special investment from time to time that he thought made sense—for example, if the federal government goes ahead with its national energy corporation and if the minister wanted to participate in that by way of loan or by way of participation with them—that would be fine. But that could be done by a fund. He doesn't need his own corporation for that purpose.

I am just so frightened with what the minister is doing with the energy policy, pursuing as he does his version of this reprivatization, that we are going to find that Ontario Hydro is beyond our control. We are going to find that the Ontario Energy Corp. is beyond our control. It would appear even that it is going to be beyond the control of the Ontario Energy Board. There is nothing that I can see that is going to have its policies reviewed or its investment policies decided upon or its activities subject to any kind of a review.

Why I am convinced—and then I am going to sit down—the minister is really talking about natural gas, is that in the same statement he tabled the order-in-council which will permit Ontario companies before the Energy Board in the gas field to include as part of their rate base the investments

which they make outside the Province of Ontario in the exploration and development of gas reserves outside the province. Those are matters that are perfectly clear because the government has not touched the oil industry itself. The only one it's touched is the gas industry and the gas industry can very well get long without the Province of Ontario, or if the Province of Ontario wants to participate it should participate jointly with the federal government through the National Energy Corp.

This is a misconceived vehicle. It's designed to protect the public interest and it's structured as a multinational corporation. It's going to use funds that are not appropriated by this assembly on any annual basis. There's never going to be a debate about the policy decisions which are made. We're going to receive a corporate annual report once a year and the way this government operates, of course, even the standing committee on government commissions that used to be or the various standing committees now, will never have any opportunity to thoroughly discuss or understand what the Energy Board is about.

We're opposed to it for all of those reasons, and if we can muster this evening five members of our caucus in the Ontario Legislature, we will vote in any event but we may very well ring the bells on the division.

An hon. member: The member for Windsor West (Mr. Bounsall) told me he wants to make a speech on this subject.

Mr. Renwick: Oh, does he? I can keep on. I've got a lot of stuff to read here. I am filling in time because my colleague does want to speak on the bill.

Hon. W. D. McKeough (Minister of Energy): Well, why don't we adjourn until he gets here instead of wasting time?

Mr. Renwick: I don't know, I would just as soon talk to the Minister of Energy.

Mr. Lawlor: The member for Riverdale may cast some pearls of wisdom before the Minister of Energy.

Hon. Mr. McKeough: We would be glad to adjourn while we're waiting for the member's colleague.

Mr. Renwick: The oil companies the minister doesn't do anything about. He hasn't touched them since he came to power. He hasn't touched them during this crisis. He's not going to touch them at any particular time.

Mr. Lawlor: There are things much too sacred.

Mr. Renwick: They are multinational corporations. They have a tremendous investment in Canada. They can take all of the risks which are involved and they don't need a penny of the money of the people of the Province of Ontario to support them in that objective. So far as natural gas is concerned, it's the minister's fixation which is going to lead us into that kind of activity along with, presumably, his corporate friends and the Canadian Arctic gas pipeline consortium headed by his friend William Wilder who says: "There's lots of gas." In his speech to the Canadian Club in Toronto he said there's lots of gas—lots and lots of gas. His only concern is that we get the Mackenzie Valley pipeline built because he is afraid that if we don't get it built now it will never be built. But all that he says is that there is lots of gas.

We don't have to get involved in that. That gas will be exploited and we will have the benefit of it without a penny of this province's money being spent. So far as uranium is concerned I simply state that the focus and attention of what we should be doing is within that field.

I'm very much concerned that there isn't a single word in this bill, and from the time of the Throne Speech there hasn't been a single word from the government, on the whole question of the environmental impact of all of these developments. There isn't any of any kind and the hydro-electric power corporation in its developments is still using its own guidelines of Jan. 18, 1974, because the environmental impact bill has never seen the light of day. My guess is that it will never see the light of day in this session and probably in this parliament it will not be passed. That's how little the minister cares for the environment, even though his Premier states it as one of the four major objectives of the policy of the government of Ontario.

We just think that the Ontario Energy Corp. is a farcical misconception which happens to appeal to the minister's particular form of ego and his strange bombastic attitude toward the 19th century laissez-faire economic establishment of the Province of Ontario which he supports so happily.

Mr. Speaker: The member for Welland South.

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I want to add a few comments related to Bill 158, An Act to establish the Ontario Energy Corp. I, like previous members, am perhaps a little sceptical of the government's venture into the programme with government and private investments. It seems to be such a broad field, particularly when it covers many, many different segments of the operations, such as the construction of pipelines and the manufacturing of hydrocarbon systems. I suppose this is another venture that they can get into, and perhaps produce the manufacture of oil and gasoline to its final stages, and deal with exploration and research.

I will talk a little bit about exploration. I was thinking about the policy of this government in the past two decades. I happen to come from an area that was a heavy gas-producing area, along the shores of Lake Erie. I can recall that there were a number of small developers in that particular area that had small investments in gas wells in that area. Lo and behold, this government through its policy had put them out of business. Those wells weren't too large wells—they maybe produced 100,00 cu ft, some maybe 50,000, but they were serving a purpose.

I can well recall when Provincial Gas Co. was operating in that area, it supplied practically the whole peninsula until Consumers' Gas moved into the picture and took over Provincial Gas, and brought in the western gas. Of course, these wells have been all plugged off. I don't know if the minister now, in his conservation of energy, is going to go back and unplug some of these wells and let the small businessman get back into the picture again.

What actually disturbs me most, is that I think in one of his comments in his press release or statement in the House, he talked about enhancing the availability of energy in Ontario by stimulating resource exploration and development and expanding production capabilities throughout Canada and elsewhere. "Elsewhere" could be—I wish the minister perhaps would indicate where elsewhere is. It could be over in the Arab countries or Middle East. It could be down in Venezuela; it could be in Africa; maybe even in the Province of Saskatchewan. I almost hesitate to think that the minister is moving in this direction; perhaps he is more of a socialist than we realize he is.

Mr. Lawlor: Oh, don't say that about him; this will make him feel bad.

Mr. W. Ferrier (Cochrane South): He is a wolf in sheep's clothing.

Mr. Haggerty: You want to believe that.

Mr. Lawlor: He is a sheep in wolf's clothing.

Mr. Haggerty: I suppose when we get into this matter, when we are dealing with moving from one province to another in the transportation of energy, the establishing of plants and facilities raises the question of the constitution here in Canada—just whose responsibility it is in this particular field, when it becomes interprovincial, and perhaps out of the province's agreements with other countries, and so forth. I was wondering what the minister's inclination is to this particular matter about the constitution in Canada; whose jurisdiction it falls under. Does it fall under the provincial government, or the federal government? I believe it is federal policy, federal control.

Hon. Mr. McKeough: I am sorry, when the matter is . . . ?

Mr. Haggerty: When we are dealing with the matter of interprovincial agreements, and agreements outside of the country—and I think the minister's talking about exporting perhaps gas and oil to the United States and perhaps to some other country, when he is talking "elsewhere"—the matter deals with, particularly, just whose responsibility it is. I believe it is the responsibility of the federal government. Perhaps the minister would like to add a few comments on that later on.

Hon. Mr. McKeough: Yes.

Mr. Haggerty: I am a little bit alarmed at the present time that there is the present disagreement between the province and the federal government now and the question of jurisdiction; and the matter of the taxing of royalties here in Canada. This perhaps raises a rather large issue with Alberta and Saskatchewan.

I was glad to see, today, I believe it was, that the Premier of Alberta had changed his views on taxing the oil companies on further royalties. Perhaps he is beginning to see the light and that it is actually federal responsibility when it comes to the question of taxation of industry across this dominion of ours.

The matter, particularly, of the Saskatchewan government, where they have tried to establish their own energy corporation, raises the question here again to me whether this isn't the step or method by which perhaps he

is trying to circumvent federal taxes by establishing a provincial Crown corporation. Perhaps this is another matter that the minister may want to add to his comments—whether this government is trying to set up a Crown corporation so that the oil companies that are going to venture into this partnership will not be paying federal taxes.

The member for Riverdale mentioned the feasibility of the government participating in the cost of the installation of the pipeline, I guess it is, from the Arctic islands down to the Province of Ontario. I believe it was suggested in the Throne Speech that the government was interested in it, so perhaps it is going to participate in it. As the member stated, it's questionable from the environmental studies that were made whether the gas can be moved down through that corridor by a pipeline from the Arctic islands to Ontario.

Again, that raises the question of what this is going to cost the taxpayers. Are we going to have the same deal as we have with the provincial pipelines now from Alberta down to the southern part of Ontario, down through the States, and so forth?

Finally, when we do get the product down here to the Province of Ontario, it's being transmitted to a private corporation. I know the minister has said he doesn't want any part of the gas corporations in the Province of Ontario—such as Consumers' Gas or Union Gas, which are doing an excellent job here—but what is it going to cost the taxpayers for the end product?

The government is going to ask the Province of Ontario and its people to participate in it. It is going to ask them to spend perhaps millions of dollars—billions of dollars, I should say—because we don't know what it is going to cost. What are we going to get in return for public investment in this? Are we going to get a fair price for our gas? Is it going to be based on $1.25 a thousand cubic feet? Who is going to make the profit from it? And where is the profit going to go? The minister said before, I think, in his statement that there will be no profit made. If there is no profit made, then I'm afraid he is not going to get the private investors into it, because they are going to be looking for something in return.

Hon. Mr. McKeough: I didn't say that.

Mr. Haggerty: I thought the minister indicated that in his speech. Well, then I understand that there is going to be a profit made from it, hopefully, and some of this will be coming back to the consumer in the Province of Ontario. Are we going to have lower prices for home gas? If that is the case, I think the government probably may sell it to the people of the Province of Ontario. But I kind of hesitate, because it's rather expensive to get involved in such a large corporation and such a large venture into this field.

I was a little bit alarmed when I picked up the newspaper—I think it was yesterday in the Toronto Star where it said that the petroleum companies are reducing their exploration and development spending because they say overlapping higher federal and provincial taxes make it insufficiently profitable to look for oil and natural gas. Now, if after all the tax concessions that the federal government has given to the oil companies over the past decades in tax relief, fast write-offs and depletion allowances they can just pull out like that and say, "We are no longer interested in the development of the tar sands here"—Syncrude, I believe it is—there are three oil companies in there which have said they are no longer interested in it. Could this same thing happen here with this corporation that the government is going to establish in the Province of Ontario after the taxpayers' money is put into it, so that we find out perhaps they are going to have to pay taxes on it and they say they are not interested in it and pull out? I think it's under the federal jurisdiction, and perhaps when we come to an oil policy or energy policy it should be dealt with at the federal level, with the province participating at that level, and when we look at it from there, I think perhaps the governments should make this venture alone. Both governments or perhaps all the governments of Canada should be shareholders in this, and not deal with private enterprises whatsoever.

Last spring or last summer the federal government came out with an energy study to tell us how well off we were, that we had reserves for the next 30 or 40 years, but in this last week or so they came out with another study and said that in perhaps eight years, Canada would be facing an energy crisis. Are the reserves there? We don't know that, do we? I mean, it is going to be expensive if they get into the exploration deal.

Hon. Mr. McKeough: Does the hon. member want me to answer the question?

Mr. Haggerty: No, no. He can answer it when he replies.

What I am suggesting to the minister is that statement means that the oil companies are backing off and that we don't have the

reserves here. I think there should be an energy policy controlled by the federal government. I don't approve of the Quebec government going over to France and saying, "Look, we are going to sell you all the uranium you want." I think this minister has indicated that he was interested in taking over the uranium mines in the Province of Ontario. The more I think of it, I think he is more of a socialist than anything.

Again, when it comes to energy, I think it should be a matter of one central government making the decisions, but with negotiations with the provincial governments. That can be done at the federal-provincial conferences. I don't approve of this minister establishing a corporation here, and another government establishing another corporation, with everybody going off in all directions. I think energy is too important to Canadians. I think we should establish Canadian priorities first; if we have excess oil, then by all means we should export it.

The other matter I am concerned about is the minister's statement that he would encourage the development of processes and equipment which would avoid the wasteful use of energy and minimize environmental damage. Well, the member for Riverdale and, I believe, the member for Huron (Mr. Riddell), have indicated that we don't have enough technology or knowledge about the nuclear wastes that are being dumped into our waterways and into our air in Ontario.

I know the minister has indicated previously that he is a great promoter of building more nuclear plants in the Province of Ontario, but again I have to question this attitude when I think of the recent United Nations report that said Canada's position is going to remain almost unchanged as far as expansion of population is concerned. I think the United States is in the same boat.

I wonder if this minister is going to follow the same policies as those of the former Minister of Education in the past decade, when he went out and built all those schools and then we found we didn't have enough children to put into them. Are we going to do the same thing in terms of our energy policy? Are we going to build all those plants that are on the drawing boards simply for the purpose of exporting power to the United States?

One of the members who spoke previously mentioned that we control almost 80 per cent of the uranium in Canada. I would say, in that regard, that there should be some tighter controls so that we don't allow too much uranium to go outside the country, because I believe it isn't necessarily going to be used for energy; it might be used for more drastic purposes.

Regarding the development at Nanticoke, where we have some problems with the fossil fuel plants, I don't see why we should have any problems with technology dealing with steam-generating plants, since it has been used in this province and elsewhere in the world for the past 60 years. For the life of me, I can't find out why we are having those problems which have completely shut down a plant as large as that one and we don't know when it is going to start up.

I am more interested in the new city of about 300,000 that the government is talking about building in the Nanticoke area. When one drives by that plant, and particularly when one sees that big mound of earth there —I believe it is a holding tank to control the heat of the water before it is returned to the lake—considering the minister's emphasis on the conservation of energy, perhaps we should be using that excess heat and steam in the new city to give the people all the steam heat they want to heat their homes. I think it is worthwhile looking into.

There is another matter concerning the conserving of energy, which this minister hasn't indicated here. You look around and see these government buildings lit up night after night; we look down here at the Frost Building, all lit up—we look at any of the government buildings here. And right now we are in an energy crisis with the phasing out at the present time of the two plants—part of the one at Pickering and Nanticoke —and we do have a shortage of hydro electricity in Ontario. There has been no move by this minister to say: "Turn out some of these lights."

This minister hasn't given any direction to the automobile industry here in Ontario to perhaps build a smaller car, put a smaller engine into it to conserve gasoline. There is no indication from the minister; he has sat on this now for almost a year. I believe I raised a question to him in the House concerning this particular matter, that perhaps if we are serious about the future energy here in Canada, that we should be looking at smaller cars.

Getting right back into the meat of the bill, the select committee on economic and cultural nationalism recommends that a long-run goal of non-renewable natural resources policy is to ensure that at least 75 per cent of the equity of all new ventures in the non-

renewable natural resources sector, after the implementation of the committee's recommendation, be owned by Canadians. So what they are saying there is that—I can't find in the bill just what percentage that the Province of Ontario is going to control—I think it is 51 per cent. It goes on to say single non-resident, or related groups of non-residents, own more than 10 per cent of the equity of debentures in the non-renewable natural resources sector, and I believe that part is in the bill.

The other matter I raised about the 51 per cent ownership here is that I think when the committee suggests 75 per cent, the minister should be looking at that goal; 75 per cent controlled by the Province of Ontario. And the reason I mention this, is that the Treasurer (Mr. White), just here a week or so ago, when he had just come back from the Middle East, with the oil-producing countries over there, said perhaps this is where the big investment of capital is going to come from. With the windfall received by the OPEC countries there and the multi-national corporations, I can see some of the windfall coming back to the Province of Ontario for investment purposes in such a corporation as the minister has suggested.

It's kind of hard to take, isn't it, when you have to have an oil-producing country, as Canada is, go outside the country and bring back foreign investment to the Province of Ontario—in fact, to Canada. I believe the federal government has netted well over $1 billion on the tax on the present oil-producing provinces. With that amount of money and the province wanting to invest into an energy corporation, you would think that the province would be looking to the federal government and going in partnership with them more than with the private industry.

I think this is the direction in which I would hope that the minister would be moving—that it should be strictly controlled by the federal government with the aid and assistance of the provincial governments.

The other matter I was concerned about was sections 12 and 13 of the bill. I am not quite sure what he means by a Canadian resident; by that I guess they should be living here 12 months of the year. I may question that. You know, Mr. Speaker, if you look out to Alberta, some of the oil kings there can have residences in Canada, but live outside Canada. I would have to question that particular section and the interpretation of a resident Canadian; I would like to see the words "Canadian citizen" there.

Well, Mr. Speaker, with those comments, I am rather hesitant to perhaps support the bill, but I will wait to see what the minister has in response to the questions I have asked him. Maybe he can shed some more light on to it and maybe by that time I may change my mind.

Mr. Speaker: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Speaker. I rise tonight, certainly with mixed feelings on this bill. Mixed feelings because this is the type of bill, setting up a Crown corporation in the energy field for the purpose of exploration and development and research in the whole field of energy, that normally would be legislation our party would feel quite comfortable in supporting.

I have severe reservations, as does the hon. member for Riverdale, on the accountability to the public and to the members of this Legislature that is not found in this bill. I might just draw the attention of the Minister of Energy to exactly what happened in an amendment to the Workmen's Compensation Act last December, in which section 81 (c), subsection 2 of that Act read the same as section 22 (2) of the bill before us, this Act to establish the Ontario Energy Corp.

What was added to the Workmen's Compensation bill is precisely what needs to be added to section 22 (2) of this bill. The wording is identical, but what is missing in this bill is in reference to the annual report. Section 22 (2) refers to the annual report of the Energy Corp. What is missing is the simple phrase, "and the report shall then be referred to a standing committee of the assembly."

It's very crucial that that phrase be added, Mr. Speaker, so that at least yearly the directors of this corporation and its general manager, or whatever structural form the corporation takes, come before this House so that any members of this House can question what it has been doing; what directions the corporation is going to take in the future; the disposal of its assets, and why; and what assets it is acquiring, and why. That information must become public; and also, at the same time, other members of the public in Ontario should be able to come in and address themselves to that annual report.

I would hope the minister would simply take the wording as I've pointed it out to

him, the wording which was inserted in the Workmen's Compensation Act amendment—so that the members of this House and the public could finally have the Workmen's Compensation board accountable, at least once a year—however poor a two- or three-day-a-session shot at the Workmen's Compensation board may be, we have them accountable to us. That is the least that should be added to this bill so that yearly, after tabling of that report, it be referred to a standing committee of this assembly so that everyone in this assembly and the general public can in fact have a thorough discussion over a two- or three-day period, however inadequate that may be, of what is going on in that corporation in all its movements and machinations.

There are several other things I'd like to say, Mr. Speaker, about this particular bill. Perhaps it's unfortunate that the present minister is the Minister of Energy at this particular time when a bill like this comes before us. As the minister is no doubt aware, I have felt ever since he became the minister, not perhaps right at the start but subsequent to that, that he has been mesmerized by conventional fuel sources—by coal and by hydrocarbons, meaning the crude oil and natural gas, and fossil fuels. To date we have no evidence that this minister has raised his eyes to the future at all to contemplate what may be the forms of energy, other than the conventional fuel sources available now, that we in Ontario will be required to use. There's no evidence this minister has taken even the slightest glance into the future to see what we should be doing. If that is not the case, I would like the minister to stand up and tell us that and tell us about the glances and what directions he has been taking.

There are really four areas I would like to touch on very briefly which the minister should be glancing toward. One is the nuclear power stations which we have. The minister, through Ontario Hydro, has a full plan of the building of nuclear power stations for the generation of electrical energy in this province.

I have one word about that. That programme seems to be well along, but I think many of the Hydro stations are being built in precisely the wrong places, in the developed areas of southern Ontario. The series of stations along the north shores of Lake Ontario cannot be justified in their locations.

In terms of the nuclear power plants themselves, as far as I can determine, as both a chemical engineer and a chemist, those are safe plants. I have no hesitation in defending them in terms of technology or in terms of their day-to-day operation.

I believe those plants to be safe in day-to-day operation and virtually sabotage-free. They would only be of some danger to the population in time of war. If war comes along we are all in danger anyway; so the added nuclear problem of power stations becomes an academic point in time of war.

What does concern me about the nuclear stations—and I am on record two or three times in this House—is the disposal and retention of the nuclear-active waste. That is a problem we need to be concerned about. It is a concern that stretches thousands of years into the future. I am not yet relieved in my mind that we have really come to grips with the enormity of that problem. Having said that, the need for this is one of the matters about which the Ontario Energy Corp. should be concerning itself and should be assuring itself, that is the safe storage, for years into the future, of those radioactive wastes.

Having said that, I want to turn to a subject on which I have again spoken in this House several times. Rather than going to the expense of extensive exploration for natural gas sources in this country, which are inevitably going to run out, what with the finite lifetime on the availability of those resources, the minister and the energy corporation should be turning their eyes very seriously in the future to the production of hydrogen gas as a replacement for natural gas. It is a very simple procedure. It uses only water as its source and needs electricity for the electrolysis. These plants could be built right next to the nuclear power stations, if one could solve the nuclear waste storage problem. The transmission of this hydrogen gas is more simple and cheaper than the transmission of electrical power.

If one is going to look at energy from the point of view of how it is best transmitted, then one uses the electrical power at the source to make hydrogen gas.

The waste product from hydrogen gas is simply water again, and the cycle of returning the water which one uses up in electrolysis is complete, with water the only end product at the burning. It is a very simple, complete cycle with no complicated intermediate occurrences.

Hydrogen gas, once produced, is simple to transmit. We have a natural gas trans-

mission system anyway into which hydrogen gas could be fed, Mr. Speaker.

When I asked the minister a question related to the production of hydrogen, when he introduced the Ontario Energy Corp. Act in the House the other day, he said at that time—I haven't got the Hansard to quote it directly—he said as far as he was concerned there were enough research funds being spent on the technology of hydrogen so that this energy corporation would not be, in his opinion, required to spend any development or research funds in that direction.

This is precisely where I think the minister should be spending his research funds. We are about 10 to 15 years away from hydrogen production by electrolysis being technically feasible. By some expenditure of research funds now and with patents on the technology that we devise through the expenditure of those funds to develop that hydrogen technology, we could materially move up the date. I would like to know from the minister in his reply if he can at this point tell us what amounts of funds are being spent on hydrogen technology development, where and in reports to the minister when he expects this hydrogen technology to be ready for our use, rather than what would be the extremely expensive problem of finding natural gas somewhere up in the Arctic and transmitting that down with all the hundreds and thousands of miles of pipelines that would have to be built, at very high expense to get it to the market areas.

Third, as energy sources I don't think the minister has really taken seriously the proposals of my colleague, the member for Sandwich-Riverside (Mr. Burr), in the areas of solar heat, which certainly has potential in my opinion, and of wind energy which I must admit I know much less about than I do solar energy and perhaps should not be commenting upon at all, except that I'm sure an expenditure of some research funds in this area—perhaps it need be only library research at the moment—would indicate to us in the House and to the public in Ontario, and particularly to the minister himself, just how feasible wind energy may be as a source of energy to relieve some of our problems.

I look at this bill, Mr. Speaker, as a bill which on the face of it I would normally support. I have severe reservations over the accountability—that is the lack thereof—to the public of the operation of this entire corporation. I am not convinced that the minister has really taken any sort of a lead at all in looking at the sources of energy and the means of getting that energy to us for the future that the Minister of Energy in Ontario should. He perhaps is leaving it entirely to the board of directors of the corporation to decide to get into this entire area. If that is the case, it would be interesting for us, and not only interesting but very desirable, that there should be a debate before a standing committee of this House as to precisely what actions are to be taken and what amounts of money this corporation was going to be spending in this area. We would then get a feeling of how serious they were in commitments to non-conventional fuel and energy sources. We would get a feeling of whether they were committed to all forms of energy and not just the conventional fuel sources.

I would feel a bit better about this bill if every year for two or three days we could question very carefully the managing director and the board of directors of this corporation. In the absence of any clear direction or clear leadership by the Minister of Energy other forms of fuel and other forms of energy should be extensively studied and gone into. I fear very much that I will have to vote against this bill although I must point out to the minister that nothing in section 6 precludes the corporation from going into the areas that I have talked about. There is still no commitment on the part of the minister or on the part of this government to so do.

Mr. Speaker: Does any other hon. member wish to take part in this debate? The hon. minister.

Hon. Mr. McKeough: Mr. Speaker, I have appreciated the comments made by the three hon. members this evening who have spoken.

Mr. Haggerty: Four.

Hon. Mr. McKeough: Four, I'm sorry. We've covered a rather wide range of subjects. I'm not sure that some parts of it—I wouldn't hesitate a guess as to how much—would have anything to do with the Ontario Energy Corp., but you, sir, have been your usual benevolent self and have allowed the debate to range widely. Perhaps on a quiet evening that isn't the worst thing in the world. I will try to answer the questions that were put, not necessarily in the order of their asking.

The first thing I have to point out—with the greatest of respect and not meaning to be provocative—is the very apparent contradiction which emerged between the state-

ments of the member for Huron on the one hand, supported by the member for Windsor West I might say, and of the hon. member for Riverdale.

The member for Riverdale spoke of the enormous resources which were needed, in terms of capital, in terms of money and in terms of manpower to develop nuclear energy; he really suggested, if I heard him correctly, that that is what we should be devoting all of our resources to. With the greatest of respect to the member for Windsor West and the member for Huron, they said we should be charging off and becoming world leaders in other areas. I don't say that to be critical; I simply point out the contradictions in what the hon. members have said.

I think I would probably come down, if I were asked to come down on one side or the other, to agree with my friend from Riverdale that there is a great deal we don't know about nuclear technology. We have become world leaders in terms of the success of the particular brand of nuclear technology with which we have gone—the Candu nuclear technology. We have, as taxpayers in this province and in this country, we have through AECL, every reason as citizens of this province and Canadians to be very proud of what other Canadians have achieved in terms of a highly successful, safe system of producing electricity in the Candu nuclear technology. Despite the fact that one unit at Pickering has been out—through in lay terms, in my view, an engineering problem, a metallurgical problem as much as anything—since August, the nuclear generating plant at Pickering is still the most successful plant in the world. It will turn out power at a higher rate of production in 1974, as it did in 1973, than any other large nuclear plant in the world. Despite that problem, which will be solved, we have a great deal to be very proud of.

Having said that, there is no question but that just simply to keep abreast and to move ahead, enormous resources of men, of material, of women, of dollars, will be necessary to maintain our position. That is not to say that we should not be interested in other forms of energy or that we should not keep our eye on developing sources of energy. I think if I were coming down on one side or another of the issue as portrayed by hon. members opposite, I would probably come down on the side of my friend from Riverdale and say that if we had a choice we do have an enormous commitment to make, and to continue to make, in terms of nuclear technology.

I want to point out to my friend from Riverdale that this bill is not all-embracing. He quoted the very fine goals stated by the Premier at the first ministers' conference on energy in January. I have forgotten exactly what they were, but they included self-sufficiency, price, conservation of energy, and so on. I don't think this bill does damage to any one of those goals, but it certainly is not intended to satisfy all of those goals in itself.

One of the hon. members made mention of the fact that we tabled at the same time, complementary to the purposes of this bill, the order in council for the Ontario Energy Board hearing with respect to the rate base investments of the Ontario gas utilities. That is another aspect, and there will undoubtedly be more. I certainly would not want to suggest that Ontario's energy policy and Ontario's energy programme are wrapped up completely in Bill 158. There are other bows in our quiver which will come forth in the fullness of time.

I want to say to the member for Durham (Mr. Carruthers) who asked about—well who made reference I suppose to the editorial which was in the Globe—who asked about the kind of directors that will be appointed. They have not been appointed, nor have they been chosen. But they will be, I trust, the kind of people who can give—and I make no apology for this, this will be very much of a business corporation; it is a business corporation under the Business Corporations Act and it will be as business-like and efficient as it can be.

I don't think it needs to have the broad range of viewpoints, for example, which one finds, and which we take some pride in on this side of the House, which one finds on the board of Ontario Hydro, a complete spectrum of Ontario society. We won't be striving to achieve that, in my view, on the board of the Ontario Energy Corp.

They will be, much as that is objectionable to my friend from Riverdale, they will be a board of directors in that best sense of the word and they will be businessmen or women. They will, hopefully, have a bent toward economy and efficiency and running a profitable operation.

What I said in the statement when I introduced the bill, is that the primary goal of this corporation will not be to make a profit; it will be to provide energy to the people of Ontario.

That is not to say it is a non-profit organization; anything but; however the primary goal will not be to make a profit. Hopefully they will make a profit. They will take risks

and they'll make losses. Overall we would expect that they will make a profit, and I'll return to that, but that is not their number one goal—and that's all I said in the statement which I made on the introduction of the bill.

I think the member for Huron said I had a preoccupation with natural gas. I suppose that may be our most critical problem at the moment and that's been the reason we have had more of a preoccupation with natural gas than other forms of energy. What expertise we had in the government in terms of energy, other than electricity—and I don't say this in any critical sense—but in a very narrow way was in the field of natural gas through our regulation of the Ontario utilities. We had little or no expertise in terms of coal or in terms of oil. Within the ministry we are gradually and slowly building a little bit of knowledge, which may be a dangerous thing. I suppose, but we are building up some sort of an expertise. But we did not have it to begin with and that's why, perhaps, we have devoted more of our attention to natural gas, which I would say at this moment probably is the most serious among our problems, a soluble problem, but probably the most serious at the moment.

Mr. Renwick: How is the Hydro experiment with western coal coming along?

Hon. Mr. McKeough: The tests this summer?

Mr. Renwick: Yes.

Hon. Mr. McKeough: Hydro burned—they didn't burn as much as they hoped to or they didn't get all they had hoped to get—but they had wanted 500,000 tons for test burns this summer and most of it went very well, I am told. Some of it was mixed with oil, some with gas, and some was blended with American coal. By and large the tests went rather well. Hydro is negotiating, and negotiating hard at this moment in time, with the full support—perhaps there is a stronger word than that—with full support of the ministry with producers in western Canada, hoping to achieve very large quantities of coal from Western Canada, up to 6,000,000 tons—put that figure on the recored—as soon as two or three years from now.

There is money being spent in this country on solar energy, on wind energy, on geothermal energy. If I have appeared at times perhaps not to take my friend from Windsor as seriously as I might—he is a very serious person and I should take him more seriously—I do assure the House we are keeping an eye on this. It isn't one of our high priorities, wind energy; nor is solar energy. We don't have that much sunlight in Canada as compared to Arizona or the south of France; it just isn't here. And because we don't have as much it is not as economic here as it will be in Arizona or as it will be in the south of France—and it is not economic there at this moment in time. It will be many years, in my view, before solar energy or wind energy is economic.

If electrical energy cost were of no concern—and it is of great concern to the people of this province—I suppose we'd say, sure, let's go for some of these things faster rather than later. But as long as the most economic forms of energy are from the conventional fuels and from uranium, then that is the direction in which we will be pushing.

That is not to say that we are not monitoring what is going on in these fields, and we have a person on staff who is paying particular attention to these things. In terms of solar energy in particular we, with the Ministry of Housing, have been working on something, which is small and experimental, but we are lending our support to it and arranging, we hope, for a modest amount of money.

In terms of wind energy, members will recall that the Speech from the Throne this year spoke of, with the urging of my friend the Minister of Community and Social Services, the member for Cochrane North (Mr. Brunelle)—one of his great passions, if I can put it that way, since he was first elected to this House, has been the electrification of the very remote communities in northern Ontario, not only in Cochrane North but throughout northern Ontario. The Speech from the Throne spoke to that this year, and I would hope that perhaps before the House rises, if not, soon after, we will be able to present to the members—I won't be doing it, it'll probably be the Minister of Transportation and Communications (Mr. Rhodes)—really a rather complete picture of what we hope to be able to achieve in terms of improved communications.

You saw one of the stories in the paper the other day, Mr. Speaker—about the $18 million, which is an awful lot of money. That in turn depends on electrification of a number of communities, not just for purposes of communities, not just for purposes of communication but also for the benefits which electricity can give to those communities. In several instances we are looking very seriously at using wind power, either as a supplement or as more than a supplement, for some of those communities. I don't want to raise anybody's

enthusiasm that much. Wind-driven generators don't produce that much power; you can't count on it. But perhaps as a supplement to what is going to be a very, very expensive programme to provide power in northern Ontario, which will be subsidized for years, it may be that on the basis of the amount of subsidization that is necessary to provide power in a remote community, in that very remote community—and I can't think of any place else that it might be true for a long time to come—it might be that wind power as a supplement might make economic sense. In the course of the next year or so I think we'll be saying something more about it.

I put those two things on the record simply to indicate that we do take—

Mr. Lawlor: What about lignite deposits?

Hon. Mr. McKeough: —my persistent friend from Sandwich-Riverside more seriously than he sometimes thinks.

Mr. Lawlor: What about the lignite, Mr. Speaker?

Mr. Speaker: Order please.

Hon. Mr. McKeough: The lignite?

Hon. R. Brunelle (Minister of Community and Social Services): That's a good question.

Hon. Mr. McKeough: That's another great concern of my friend from Cochrane North.

Mr. Ferrier: It's been a question of concern for 30 years.

Hon. Mr. McKeough: The member should ask the Minister of Natural Resources (Mr. Bernier) that question rather than me. At this moment, from Hydro's point of view it's in the wrong place. It's not a high Btu lignite. Lignite from Saskatchewan is much better lignite in terms of burnability. But it becomes more and more attractive to Hydro every day as the cost of everything goes up, and it may have other uses. I don't think I'd like to say more than that at this moment, but the Ministry of Natural Resources is very much involved in discussions and negotiations and in studies. And I leave it at that for the moment.

Conservation: My friend from Riverdale is not here at the moment and my friend from —oh, somebody else; I do have more than one here tonight—said that we weren't concerned with conservation.

Mr. I. Deans (Wentworth): More than one friend? That's the problem, has he more than one friend?

Hon. Mr. McKeough: I would refer my friend to section 6 (a) (v) of the bill:

> —encourage the development of processes and equipment that will avoid the wasteful use of energy and that will minimize harm to the environment.

Conservation is very much part of the aims of the corporation.

Having said that, I would stress that I think for some time—let me come at it this way—the member has asked what the corporation is going to do and then, I must say, he has also criticized the corporation, or me, because I said that the goals of the corporation, in my view, in the first instance are going to be related to natural gas. He has asked me on the one hand to be more specific, and because I have been so he has said I shouldn't be.

The energy corporation, as I see it, will have a principal role in the first year or so to try and bring some order out of the natural gas situation. They will undoubtedly move on to other forms of energy, but they are not going to be able to do everything at once. It might have been better not to say that gas in my view would be the priority, I might have said that they were going to cover the waterfront, but realistically they will not.

Mr. Bounsall: Gas is fine. It is just the wrong gas. The government has just chosen the wrong gas.

Hon. Mr. McKeough: Oh I see. Hydrogen gas? I will come to that in a minute, if the member wishes.

Conservation for a while, despite the fact that this is a stated purpose and a goal of the corporation, I think will be within the government. The private sector will be co-ordinated more within the Ministry of Energy than within the corporation itself, although that ultimately can be a goal—the powers are there.

We will, I would hope in the next couple of months, be presenting to the House a rather full report on energy management programmes. That's the term we are using—energy management programmes as opposed to just energy conservation. We hope to have that report ready for members in a couple of months' time.

On uranium, I would say to my friend from Riverdale that the further development of the nuclear process—perhaps even the hydrogen economy which so very much depends on electrical energy to begin with—may well be more in the continuing ambit of Ontario Hydro as opposed to the Ontario Energy Corp. Certainly the nuclear programme will.

I don't envisage that the Energy Corp. will have anything, or not very much, to do with the generation of electricity per se. They may very well get involved in uranium in one form or another, but Hydro's mandate is electricity and we would hope to leave that mandate with them; the Energy Corp. would stay out of that mandate and concentrate on other forms of energy. Obviously there will be crossing over, but basically that division, we hope, will be maintained.

Some people have said, of course: "Well, why didn't you put what you are proposing to do here into Hydro?" Hydro, in our view, is large enough and complex enough that it doesn't need additional roles or additional jobs to do. It has its hands very full.

My friend from Riverdale said: "If there's lots of gas"—and he was quoting Mr. Wilder—"then why do we have to piggyback?" With respect, the proposal would not be to piggyback Canadian gas; we are talking about piggybacking American gas. Regardless of how much Canadian gas there is, unless we want to export it, we need the combination of the gas for the Canadian market coming from Canadian sources and the gas from Alaska going to American supplies—the combination of the two, in CAGSL's view—to make the pipeline as economic as it can be.

Now I am not putting the rubber stamp of approval on that. I am simply explaining to the member what "piggyback" means, which has nothing to do, really, with how much Canadian gas is available or how much the Canadian demand is. It's the combination of the two things that is important.

I would have to say, of course, to my friend from Riverdale that he was never better than at the ending of his remarks, and I am not going to say very much. It was a very doctrinaire speech. He would be much happier, obviously, if the bill simply said: "We're going to take over the uranium industry, the oil industry and the natural gas industry and get it over with." If we don't do anything else but that, then he'd be happy. Really, that came through. They are getting so moderate over there, it was refreshing to hear a really good socialist speech which he did make tonight.

Mr. F. Laughren (Nickel Belt): You're damn right.

Mr. Breithaupt: The last hurrah!

Hon. Mr. McKeough: It really was. It was complete nationalization.

Mr. Lawlor: We have such a difficult time keeping up with the minister.

Mr. Renwick: Would the minister answer a question?

Hon. Mr. McKeough: I'd be delighted

Mr. Renwick: Mr. Speaker, would the minister let us know whether or not the federal government is prepared to relinquish its control over the uranium industry and restore it to the Province of Ontario? Is any progress being made in those discussions?

Hon. Mr. McKeough: In a word, I would say the answer is no. They have no intention of relinquishing it and have moved the other way completely. In answer to the member's question, they have now moved rightly or wrongly, in Bill C-32 which is now before the House of Commons, to exert their control very strongly over oil and natural gas. The member reads the bill broadly enough, this includes probably electricity as well, but specifically oil and natural gas. Without commenting on the constitutionality of Bill C-32,—which may well find its way into the courts, according to what I read emanating from both Alberta and Saskatchewan—I would say this, that the constitutionality of the seizure, the term we use for the control of uranium, is undoubtedly legal. The reasons for it may have disappeared, but the law officers of the Crown would advise us that if we try to do much about it we wouldn't get very far.

Mr. Renwick: Is that right? I didn't know there was any emergency power under the constitution.

Hon. Mr. McKeough: I'm not a lawyer, but they've had it for so long we should have screamed a lot sooner. I think, in lay language, that's the gist of the argument

Accountability is worrying some of my friends opposite. I suspect for a few years at any rate there will be an annual appropriation in the estimates each year to build up either the investment by Ontario in the Ontario corporation or loans may well appear in the estimates or supplementary esti-

mates. Perhaps they will by the end of this year, if a significant amount has been spent by the end of this year.

Mr. Bounsall: It is important

Hon. Mr. McKeough: It's certainly important and that's what ministers of the Crown are all about. The way one expresses that is, he says that the minister lays a report before the assembly. I might say that that's exactly what the Saskatchewan power legislation says, which I had occasion to look at the other day, and a number of other pieces of legislation in that socialist Valhalla out west. The minister shall lay the report before the assembly.

Interjections by hon. members.

Mr. Renwick: It is a people's government out there.

Hon. Mr. McKeough: I would point out that the Act establishing both the Hydro commission and the Hydro corporation, which has been around for 60 years, says nothing more and nothing less than that the minister shall lay the report before the assembly.

Mr. Bounsall: It should be amended too.

Hon. Mr. McKeough: I would point out that my estimates this year—and members were very charitable and very kind and didn't even want to reduce them to a dollar or my salary to a dollar—took about 16 hours. I would guess that at least 10 hours of that were debated on Hydro policy, although there isn't one penny in the estimates of the Ministry of Energy or any other ministry of this government for Ontario Hydro. Members spent well over half of the time which I am charged with in accounting to this House for my actions both in the past and in the estimates before the House, in debating the policies of Ontario Hydro.

Mr. Renwick: They used to come before a standing committee.

Hon. Mr. McKeough: This little red herring of accountability—

Mr. Renwick: They used to come before a standing committee.

Hon. Mr. McKeough: If the members wanted them to go to a committee, they might have requested it.

Mr. Ferrier: Why didn't the minister offer to do it?

Mr. Deans: We can't get them before a committee. We are having a hell of a time getting the WCB before a committee and that is where they are supposed to go.

Mr. Speaker: Order, please.

Hon. Mr. McKeough: Really, that little outburst doesn't become the member.

Mr. Deans: It's true. It does become me. We're having a hell of a time getting them before a committee.

Hon. Mr. McKeough: He should discuss that with the minister. The rules of this House clearly say that estimates are dealt with here or they're dealt with in committee—

Mr. Renwick: It should be dealt with here.

Hon. Mr. McKeough: —and if the members feel keenly enough about my estimates going to a committee they should say so here, and I will say that we are going to deal with them here; because I will deal with them, and not my officials; but we will have that discussion some day.

Mr. Deans: But how do we get Hydro to a committee?

Hon. Mr. McKeough: How do we get Hydro to a committee?

Mr. Deans: How do we get them there?

Hon. McKeough: Get me to a committee first, and then if we want Hydro to come, fine and dandy.

Mr. Laughren: The minister said he wouldn't go.

Hon. Mr. McKeough: Certainly. The members have never asked me to take my estimates to committee. They have never asked me to take my estimates to committee. They never have asked.

Interjections by hon. members.

Mr. Speaker: Order please. The hon. minister has the floor on the second reading of this bill.

Mr. Breithaupt: Since when are we asking him?

Hon. Mr. McKeough: If I had been asked, I would have considered it—and in due course rendered a decision.

Interjections by hon. members.

Hon. Mr. McKeough: However, there is no question about accountability. You know, those socialists should really practise what they preach, and look at some of the successful socialist enterprises—and there are some—or government-controlled enterprises—that are around. Look at the United Kingdom. Find out if British Steel, which is 100 per cent owned, lays a report before the House of Commons. It doesn't. Look at British Petroleum. Ask if their report is laid before the House of Commons. It is not. British Petroleum is probably one of the better petroleum companies around.

If the members are going to talk about nationalization, and doing it well—and that is what they have spouted tonight—then for heaven's sake they should know what they are talking about. When they talk about accountability they can't go on talking out of both sides of their mouths and I say that with the greatest of respect.

Mr. Bounsall: That's a big blue herring.

Hon. Mr. McKeough: One of my friends opposite said we shouldn't be doing this at all; we should be putting our money in Petrocan. It was one of my good friends who said this. I would simply point out that the Province of Quebec attempted to put some money in a Crown corporation—Panarctic—and the government of Canada, for reasons which I don't understand, said no.

Mr. Haggerty: Has the minister discussed it with them himself?

Hon. Mr. McKeough: Yes, we have, and I would be embarrassed to tell the member their reasons. I said that we saw gas as a priority. I think coal, and investments in coal, may well become a priority of the energy corporation. Oil, no doubt, is a priority. The amounts of money are staggering.

The press asked today whether we might be interested in taking up the share in Syncrude. Let me just put that on the record. Look at the amounts of money which are involved. The stated cost of Syncrude was $1.2 billion. It has risen to something over $1.5 billion, and will probably end up at close to $2 billion. Out of that, Ontario would get 30,000 barrels a day if we went in for one-quarter of that action—somewhere between $400 million and $500 million of the taxpayers' money. We would get a guaranteed supply of 30,000 barrels of oil a day, and this province is using something in the neighbourhood of 600,000 barrels of oil a day. The amounts of money which are required, for either the development of the tar sands or for exploration and development, are truly staggering. I don't say they are beyond the resources of the people of Canada, but we will have to say, as the press said to me today—and I am sure they were very well meaning—would you consider taking up that quarter which was abandoned this morning by whoever it was?

Mr. Ferrier: Atlantic Richfield.

Hon. Mr. McKeough: Atlantic Richfield—and for 30,000 barrels of oil—which, for example, is what Hydro will use alone—we could provide a customer. That is what Hydro will use—well, they will use more than that—I think it is closer to 50,000—between Lennox and Wesleyville, when those plants both come on; staggering amounts of money.

I don't preclude—and I think I have said this—investment in uranium. The member for Welland South said, "Where is elsewhere?" I said to the press the other day it could be the North Sea. The members didn't mention that. Some of the propositions which have been suggested to us as worthy of investment—and we are not close to making any investments—might involve some acreage on a shared basis, in western Canada, something in the Arctic, and they have got a little piece of the action in the North Sea. The bill deliberately would allow us to go into that kind of a partnership—it's not where we would be, by choice—and I suspect it would probably divest us of that investment in the North Sea, or wherever outside Canada, rather quickly, but perhaps not—so that is why the bill is as broadly drawn as it is. We are not looking to invest in the North Sea, although perhaps some legislative committee in terms of accountability would hope that we might do that, and we would have to make an annual inspection tour—I say to my friend from Huron-Bruce (Mr. Gaunt) who, as a member of various committees, has been an inspector par excellence over the year. I have answered that.

There is no question, regarding my friend from Welland South, most of what we were talking about, if not all, will be under the federal regulation or jurisdiction in one way or another; so be it. We won't be exporting or importing in and out of this province; we may not be transporting within this province without being under federal regulation. We accept that. We have no disposition to challenge that position in this corporation.

The question of whether it is taxable or not was asked by my friend from Welland South. As long as it is 90 per cent owned by the Province of Ontario, then it is classed as a Crown corporation—and despite Mr. Lang's mutterings, in our view, under the constitution, it is not taxable. A Crown corporation is not.

Mr. Renwick: I am glad the minister is going to stand and fight on that one.

Hon. Mr. McKeough: I would hope we would—and the member for Riverdale, because he is going to nationalize everything, would have to support us on that.

Mr. Renwick: Yes, we will.

Hon. Mr. McKeough: We could go right down to the wire on that one.

Mr. Renwick: Anything the minister will do to uphold the constitution we will support.

Hon. Mr. McKeough: We would be in bed together on that one; we really would.

The member asked about ownership, and I think it is section 17:

> The minister shall, from time to time, subscribe for and purchase and hold shares in the corporation on behalf of Her Majesty in right of Ontario and shall hold at all times a majority of the issued shares of each class of equity shares of the corporation [which would mean 51 per cent]. That would be held by the minister if the shareholder, on behalf of the public funds invested by the province.

I don't say that will hold for ever. That is our purpose now. At some point—there is no intention to go public with the other shares for awhile—we have to see what investments we make, how profitable they are—

Mr. Deans: Unless it is really profitable, and then the government can go public.

Hon. Mr. McKeough: Well, the member would go public and have the people put their money into something that isn't profitable. If you are going to sell shares to the public—

Mr. Deans: No, just use the people's money—if it isn't—

Hon. Mr. McKeough: If we are going to sell shares to the public, we would like to think that it is a reasonable proposition for them to buy. I don't suppose my friend would understand that, but we understand it here, and even my friends in the Liberal Party understand it.

Mr. Deans: "Let's use the taxpayers' money to get it all going, and then we give it away." We understand it.

Hon. Mr. McKeough: At some point the intention would be to go to the public; or at least that may be desirable. And even the 51 per cent rule, which would require an amendment, might be changed at some point in the future; but that is a decision for another day.

My friend asked about the difference between reports—if I could put it that way. The energy policy for Canada, which was tabled by EMR in July of 1973, said, and it was quoted: "We have lots of oil." The NEB report tabled two weeks ago said we were going to be importers by 1982.

It is a question of deliverability. We have enormous amounts of oil, geologically, in this country, off the east coast; we think, perhaps even in Hudson Bay; certainly in the Arctic, in the Arctic islands; and probably a great deal more in western Canada. And that is what EMR said.

What EMR also said, in "An Energy Policy for Canada" is that "You are going to have to spend a lot of money to get it out." What the NEB is saying, and it reported two weeks ago, is that the money isn't being spent in sufficient quantities and the resources aren't being applied in sufficient quantities, and as a result, by 1982, we are in trouble unless we speed things up. Now, that is an oversimplification of the two things, but they are really not in conflict. They are two separate statements of fact.

I say somewhat facetiously—not facetiously but somewhat with tongue in cheek—that the member for Welland South mentioned he wasn't enthused about the idea of exporting electricity. I say this: If we don't improve our position in terms of oil, if we start to become importers of oil, then this country will be faced with one God-awful balance-of-payments problem. I saw figures the other day that said by 1982, in view of the oil situation, we would have a balance of payments on oil alone of something like $3 billion a year.

If we have to pay that bill, if we need that oil, and we will—for gasoline, for feedstock, for heating purposes, for asphalt; you name it and we'll need it, no matter how much energy conservation we apply. We may cut that bill—it might be cut to $2.9 billion—but it's a staggering amount in terms

of balance of payments alone. Perhaps then we shouldn't say so glibly that we shouldn't be exporting electricity made out of Canadian uranium, because maybe it will be better to be exporting electricity. I'm not saying this is policy. I'm not advocating it at this moment. But let's not just say we are not going to export electricity when we are facing the prospect of perhaps being massive importers of oil in the very near future. I simply leave that on the table.

Mr. Speaker, I think I have covered most things. Hydrogen economy is 25 years away, in our view, and very expensive. It's a job for Ontario Hydro, and they are spending some time and effort with AECL on keeping an eye on it; perhaps they are not spending as much as they should; but we'll get a report on that some day for the hon. member. But AECL do follow that and I think we look to them, with confidence, to keep an eye not only on fusion, but on some of the other more exotic developments in those fields.

In conclusion, Mr. Speaker, I do want to stress that the bill is not the solution to all our problems by a long shot. Whatever I said before was wrong; it is simply one of the arrows in our quiver, others of which will be shot in due course. We do think that it is a necessary step on the part of Ontario to ensure that we continue to receive adequate and secure supplies of energy and at a reasonable price. That reasonable price is going to be much higher than we paid in the past, but it is to be hoped that it will be more reasonable than if we did nothing. We do regard this as a step forward, and I hope that all members will find it in their hearts to support this progressive, free-enterprising—

Mr. Laughren: Stop it.

Hon. Mr. McKeough: —but slightly red step forward on the part of this government.

Mr. Bounsall: Neither hot nor cold, but only to be spewed from the mouth.

Mr. Speaker: The motion is for second reading of Bill 158.

The House divided on the motion, which was approved on the following vote:

Ayes	Nays
Allan	Bounsall
Apps	Deans
Auld	Ferrier
Beckett	Foulds
Belanger	Laughren
Braithwaite	Lewis
Breithaupt	Martel
Brunelle	Renwick
Campbell	Samis—9.
Clement	
Downer	
Edighoffer	
Evans	
Gaunt	
Gilbertson	
Haggerty	
Hamilton	
Havrot	
Henderson	
Hodgson (Victoria-Haliburton)	
Hodgson (York North)	
Jessiman	
Johnston	
Kennedy	
Kerr	
Lane	
Leluk	
McKeough	
Miller	
Morningstar	
Morrow	
Newman (Windsor-Walkerville)	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Reid	
Rhodes	
Riddell	
Root	
Ruston	
Singer	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Spence	
Taylor (Prince Edward-Lennox)	
Timbrell	
Walker	
Wells	
Winkler	
Wiseman	
Worton	
Yakabuski—52.	

Clerk of the House: Mr. Speaker, the "ayes" are 52, the "nays" 9.

Mr. Speaker: I declare the motion carried.

Motion agreed to; second reading of the bill.

Mr. Speaker: Do I understand that this bill is to go to committee of the whole House?

Agreed.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House, I would like to say that tomorrow morning we will move into committee of the whole House on Bill 158. Following that we will call Bill 157 and Bill 125. If the House is co-operative and we happen to finish that bill of fare, we will call item 2.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:35 o'clock, p.m.

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No. 146

Ontario

Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Friday, December 6, 1974

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 6, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions.

BUSINESS OF THE HOUSE

Mr. R. F. Nixon (Leader of the Opposition): I'd like to ask the House leader, Mr. Speaker, if he can give us any clarification on the report in the Globe and Mail this morning that was attributed to an interview with the Premier (Mr. Davis) and that indicated we would be returning to complete the business of the House in January. Has he some comments or a statement to make about that?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I have no statement in that regard. But I will reiterate what I have said on a number of occasions: I do not intend to sit late hours or in any way be accused of inhibiting debate on legislation. It would be my view that if there are important pieces of legislation left on the order paper on whatever day we recess for Christmas, if that be the case, we will certainly take a few days thereafter and come back and complete the business.

Mr. I. Deans (Wentworth): Supplementary question.

Mr. Speaker: Supplementary.

Mr. Deans: Does that mean that the list of legislation that is currently on the order paper, combined with whatever is left off that is on the revised list that the House leader gave to us, is the government's programme of legislation for this session, and that there will be no further legislation introduced in this session in the new year?

Hon. Mr. Winkler: Mr. Speaker, to the best of my ability I have supplied the opposition parties with that list this morning, but it doesn't necessarily mean that there won't be two or three or four more pieces of legislation brought in. I can't say that there won't be; as a matter of fact, I believe there will be.

Mr. R. F. Nixon: I would like to put a question to the Premier along the same lines, now that he has joined us. Perhaps he could clarify the matter that was reported in the Globe and Mail this morning, ostensibly associated with his statement that he was not going on his trip to Israel because of the pressure of business. Can he give a further statement to the House as to the statement in the newspaper, not attributed to the Premier but in the same report, that we would be having a session in January to complete the emerging business of the province?

Hon. W. G. Davis (Premier): Mr. Speaker, I did observe last night that I had planned to visit Israel during the latter part of January. In that there were a number of matters that were of importance to the government, in fairness to those who were planning the trip and to the people in Israel, if by some chance the pressures were such that I had to cancel at the last minute, I thought it was wise to postpone it somewhat in advance. Mr. Speaker, I did inform the group last night I was postponing the visit. It wasn't a cancellation.

I think it is fair to state that those who reported it last night, in observing the activities here, as they do so objectively and carefully, took a look at the order paper, knowing that there is a possibility of two or three other bills in which I know the members opposite are interested—such as the election financing legislation, which is a matter we are all interested in, but it is complicated and will take a period of time, and I can't guarantee to the House that it would be ready in time for passage before Christmas. There is the pending report of the redistribution commission, which I am sure all members will want to have a look at before we immediately accept it in toto. I haven't seen it; it may be that it is totally acceptable to everybody, but I think that some at least will want to have the occasion to study that at least for a day or two. Once again, the drafting of that and its passage could require some time.

I think the House leader has made it very clear that we are all anxious to avoid sitting until 1, 2, 3 or 4 o'clock in the morning—

Mr. S. Lewis (Scarborough West): That would be a change, and a pleasure.

Hon. Mr. Davis: We are very accommodating. All that those who wrote the story last night observed was that it's possible—and assuming that most of us do want to be home with our families at least by midnight on Dec. 24—that there is some possibility, I think—

Mr. Lewis: A most extraordinary reply. How did we get on to this?

Hon. Mr. Davis: I was asked. I was asked.

Mr. Lewis: What are we doing?

Mr. J. F. Foulds (Port Arthur): Never use one word where a thousand will do.

Mr. J. A. Renwick (Riverdale): We just shouldn't sit on Friday mornings.

Hon. Mr. Davis: Not thinking for the reporter, I think that he made a fairly objective evaluation that could turn out—

Mr. Lewis: The member for Riverdale got up this morning to listen to this? Now finish.

Hon. Mr. Davis: —to have some substance.

Mr. Speaker: Any further questions by the Leader of the Opposition?

NEGOTIATIONS WITH TEACHERS

Mr. R. F. Nixon: Yes, Mr. Speaker. I have a question of the Minister of Education having to do with the negotiations that were completed successfully yesterday with the teachers—do they call them special schools of the province?—and with the general negotiations that are continuing across the province. Does he recall, associated with his comment yesterday that these negotiations were completed without acrimony, that one of his assistant deputy ministers who was in charge of these negotiations referred to the procedures undertaken by the teachers in the special schools as "despicable"? Has he raised that matter with his official and is he going to discipline him for making a public statement of that type?

Hon. A. Grossman (Provincial Secretary for Resources Development): How about using one word for the question?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I think my friend is drawing all his information from a newspaper story that he read the other day—

Mr. R. F. Nixon: The minister doesn't tell us about these things.

Hon. Mr. Wells: If you sit through the whole eight days and as you negotiate in good faith sometimes your anger rises a little and you call each other a few names, but it certainly doesn't indicate any evidence of negotiating in bad faith. I think if the Leader of the Opposition asked both sides, they would substantiate what I said in my statement.

Mr. R. F. Nixon: A supplementary: Then the minister has inquired into this and the gentleman has told the minister his reasons for saying publicly that the procedures used by the teachers were despicable?

Hon. Mr. Wells: I haven't spoken to him about it. All I know is that after that particular time, more meetings were held and an amicable settlement was reached.

Mr. R. F. Nixon: Yes, it was settled the next day. What was the matter with him?

Hon. Mr. Wells: I am telling my friend that he's basing his impressions on a newspaper story, which of course has not captured the flavour of all the negotiations.

Mr. R. F. Nixon: I have a further supplementary having to do with the continuing negotiations elsewhere in the province. Is the minister making any effort to communicate once more to the boards that as a matter of policy from the Ministry of Education, supported by all sides in the House here, conditions of work are, in fact, within the negotiable category, and that the boards who are insisting on dealing only with the dollar figures with their teachers are simply going to have the protracted problems that were experienced previously?

Hon. Mr. Wells: Yes, Mr. Speaker, I'm doing that in every possible way that I can.

Mr. Lewis: May I ask a supplementary to that—

Mr. Speaker: Yes, you may.

Mr. Lewis: —on the assumption that discussing other negotiations will permit it? In the situation of the Lakehead Board of Education, now that the ministry has established knowledgeably and well that even the maximum amount which the teachers are requesting would fall within the ceilings which the board of education in the Lakehead has at its disposal, would the minister not intervene and indicate to the board, the elections being over, that it is bargaining in bad faith to con-

tinue to persist at the level of the offer it has made, when his ministry has corrected its figures and indicated that there is room for negotiation?

Hon. Mr. Grossman: Another one-word question.

Hon. Mr. Wells: I think, Mr. Speaker, that perhaps there needs to be a bit of an explanation about the report our ministry d'd. I think that it can be said that it did substantially say what the hon. member has said. But as I like to say it, in simplistic terms, the study that we d'd proved that really both sides were right.

Mr. Lewis: Not from what I read.

Hon. Mr. Wells: The teachers' contention was that the proposals they have made could be met with'n the ceilings. Indeed they could if the percentage of the budget spent on salaries were as they think it should be. The board has other feelings about what percentage of the total budget should be spent on salaries. If they feel they should spend only 65 per cent of their budget on salaries there's no way they can accommodate the offer of the teachers. The teachers maintain that 65 per cent of the budget is not the proper proportion that should be spent on teachers' salaries. I don't know how you ever decide what is the proper proportion, Mr. Speaker, except that the board has a certain amount of money and has to set its priorities within its total budget.

As I say, one could say that neither side was wrong in the position it was putting forward but both were arguing for a different total percentage of the budget to be spent on salaries. We're doing everything possible to urge both sides to get together in the Lakehead. They're only going to solve the dispute up there if they get down together at the bargaining table and come up with an agreement, and that's what we've said.

Mr. Foulds: Supplementary, Mr. Speaker.

Mr. Speaker: This will be the final supplementary.

Mr. Foulds: Would the minister not consider it a prime example of bad faith on the part of the board in that they are currently spending a good deal of money between November and December that had not otherwise been projected on supplies and equipment that weren't initially part of their purchasing programme, in order to reduce the amount that they can offer to the teachers for the part of the contract between September and December? Wouldn't the minister consider that a prime example of bad faith bargaining?

Hon. Mr. Wells: I don't have any proof or knowledge that they are spending extra money on supplies at this particular time.

Mr. Foulds: Supplies and equipment.

Hon. Mr. Wells: And equipment. Someone would have to present that to me. I don't have any knowledge of that.

HOPE TOWNSHIP GARBAGE SITE

Mr. R. F. Nixon: Mr. Speaker, I'd like to put a question to the Minister of the Environment. Now that the residents of Hope township have voted 869 to 105 against the programme whereby CP Rail would truck Toronto's garbage into their township for disposal, is he now prepared to make the final announcement that he is not going to give his approval for that programme?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I'm well aware of the vote and the feelings of the people in the area. I've met on many occasions with the people. I could have almost predicted the outcome of the vote. We're getting close to a decision on that particular site down there right now.

Mr. R. F. Nixon: Supplementary: What's delaying it? We were asking these questions this time last year.

Hon. W. Newman: No, I'm sure the member is misinformed because I wasn't the Minister of the Environment a year ago.

Mr. R. F. Nixon: Well, it was somebody responsible.

Hon. W. Newman: I think since I've been discussing this situation—

Mr. R. F. Nixon: And we will ask somebody after him.

Hon. W. Newman: —in the case of any site we deal with as far as the Ministry of the Environment is concerned, we want to make absolutely positively sure that the site is environmentally sound and will not create a leaching problem in the future. We have pretty well completed our assessment on the Hope area and we will be coming forward with it very soon.

Mr. R. F. Nixon: The minister knows it has been completed for six months and he's just trying to get up his nerve.

Hon. W. Newman: That's not true.

FAMILY PLANNING SERVICES

Mr. R. F. Nixon: Mr. Speaker, I would like to ask the Provincial Secretary for Social Development: Did the minister receive a telegram from the president of the Planned Parenthood Association of Ontario asking her to make public the report of the task force on family planning and to release the allocation of $300,000 that is presently in the budget for that purpose?

Did the minister receive the telegram, and can she give us some information on family planning and that sort of thing?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, through you to the Leader of the Opposition; yes, I did receive a telegram and I responded to the effect that it is under active consideration in the policy field.

Mr. R. F. Nixon: By way of supplementary—which might really be that I didn't hear what the minister said—but what about the task force? Why hasn't its report been made public?

Mr. E. W. Martel (Sudbury East): It was finished in April.

Hon. Mrs. Birch: Mr. Speaker, it is an internal report—as the Minister of Community and Social Services (Mr. Brunelle) indicated yesterday.

Interjections by hon. members.

Mr. R. F. Nixon: I wonder; could the minister not give some further reason other than to say that it is a secret document, or a cabinet document? Would it not be possible, since this task force is established by the government and paid for by public funds, that its findings and its working papers be made available to everyone in the province who is interested in this important subject?

Mr. Martel: The ministry is crazy.

Hon. Mrs. Birch: Mr. Speaker, I am sure the Leader of the Opposition is well aware that there are many internal papers which are put in front of the ministers in the policy field in order for them to make a decision. It just is not in the public interest to release these papers.

Mr. Lewis: Like all the minister's reports, they are internal.

Mr. Foulds: A secret document.

Interjections by hon. members.

Mr. Speaker: The hon. member for Scarborough West; a supplementary.

Mr. Lewis: Why is it that only since the minister has taken over the Social Development secretariat is this the first time now for several years that the major public studies in the field of social service, from day care to family planning, have been seen as secret documents? What is this obsession of the minister's for secrecy? Why can the minister not put it before the Legislature?

Hon. Mrs. Birch: Mr. Speaker, I am not aware of any secrecy that has been associated with these papers at all.

Mr. R. F. Nixon: Give us the report, then.

Mr. Speaker: The member for Scarborough West.

CSAO NEGOTIATIONS

Mr. Lewis: First I want to ask the Premier a question. In view of what appears to be a developing confrontation, certainly a deterioration in relationship between the government and our civil service, and in order to avoid the brinksmanship of late December, could the Premier now personally intervene in an effort to get at least the financial aspects of the negotiations resolved or dealt with in a way which isn't quite as confronting and adversary as is now the case? Otherwise I don't know how we are going to avoid the events all of us want to avoid.

Hon. Mr. Davis: Mr. Speaker, I can only say from the government's part—and I emphasize this—that we have enjoyed over the years, and I think all of us recognize this, I believe a good relationship with the public servants of this province. I have said, in spite of a certain public relations campaign that has been somewhat personal in character—

Mr. F. Laughren (Nickel Belt): The Premier noticed that, did he?

Hon. Mr. Davis: —developed, of course, by an agency that is well known to the leader of the New Democratic Party.

Mr. L. C. Henderson (Lambton): He is responsible for it.

Hon. Mr. Davis: In spite of that, and I said it publicly, in my view we have the most able

and committed public service in any jurisdiction in this country. Certainly, as far as this government is concerned, we are not anxious to have a confrontation.

Hon. Mr. Grossman: We don't want to go back to that again.

Hon. Mr. Davis: We believe that we have negotiated in good faith; we have endeavoured to do it with a minimum amount of publicity, and have been criticized for this.

Mr. Deans: That is not so.

Hon. Mr. Davis: I can only say to the leader of the New Democratic Party that we shall continue to negotiate in good faith and attempt to avoid confrontation. No one wants it—on our part, at least. No one likes it. There is a further meeting on Monday after which we will have a report. But I want to make it abundantly clear, Mr. Speaker, that this government does not like confrontation; it has not negotiated in order to get confrontation.

I will not assess blame in this regard in any way whatsoever, certainly at this moment; but I just don't like people suggesting, as some have, that this government is seeking a confrontation with its own public servants, because that is categorically untrue.

Mr. Renwick: Change the negotiating team.

Mr. Lewis: It may be untrue; it is in fact not obvious. But that aside, since the civil servants clearly feel that the Chairman of the Management Board and those associated with him are deliberately provocative, are not bargaining in good faith, and that we cannot get a settlement so long—

Hon. Mr. Grossman: Who said that?

Mr. Lewis: —as that minister is the chief negotiator, I'm suggesting to the Premier that he do intervene and demonstrate his good faith.

Mr. Speaker: Order please. A question.

Hon. Mr. Davis: Mr. Speaker, I don't believe they have said that. I don't believe they feel that the Chairman of the Management Board has done anything but negotiate in good faith.

Mr. Lewis: He has negotiated publicly in violation of good faith.

Hon. Mr. Davis: What does the member mean, he has negotiated publicly? What in heaven's name does he think Mr. Norman has done?

Mr. Lewis: Sure, in this Legislature look at what he has done.

Hon. Mr. Davis: What does the member think Mr. Norman has done in terms of negotiation?

Mr. Lewis: After the event.

Hon. Mr. Davis: I know there is great communication between the member and him, or at least between his brother and some of those negotiating. The member knows it and I know it.

Interjection by an hon. member.

Hon. Mr. Davis: Listen, he tried to get them organized in Stormont and he knows it.

Mr. Speaker: Order please.

Mr. Lewis: I mean dynasties expand upward, not sideways.

Mr. Speaker: The member for Scarborough West. Order please.

Hon. Mr. Davis: Michael had his finger in the pie.

Mr. Speaker: Order please.

Mr. Lewis: As a matter of fact, he will probably enjoy the notoriety.

Mr. Speaker: Order please.

Mr. Lewis: Are there any other members of the family the Premier would like to involve?

Mr. Speaker: Order. the member for Scarborough West will please take his seat.

Mr. Lewis: My son is in the gallery. What does the Premier think? Does he think he has entered this affair as well?

Mr. Speaker: Order please.

Hon. Mr. Davis: The leader of the New Democratic Party's son is not involved.

Mr. Lewis: Thanks very much; not until the Premier's next—

Hon. Mr. Davis: Only because he's too young.

Mr. Speaker: Order. We will allow the Leader of the Opposition one final supplementary on this before it gets into a debate.

An hon. member: Only one.

Mr. R. F. Nixon: I would like to ask the Premier if there is any way, as a matter of

policy, that there might be reconsideration given to the statement made by the bargainer for the government that there would be no possibility of removing the compulsory arbitration requirement from all of the members of the civil service? Why would it not be possible to remove that compulsion from those whose jobs, although they are undoubtedly important are not essential to the health and safety of the community?

Hon. Mr. Davis: Of course, Mr. Speaker, you then get into a very complex determination as to what some people would regard as being essential or the degrees of essentiality. If the Leader of the Opposition is suggesting that a substantial portion of the public servants of this province should strike, that of course is his determination.

Mr. Deans: That is not true.

Mr. Speaker: Are there any further questions?

Mr. R. F. Nixon: On a point of order, just in case you misunderstood him, Mr. Speaker, I can assure you that unlike the Premier, I do not want a strike of a substantial portion of the civil servants.

Hon. Mr. Davis: That is what the member said. That is exactly what he said. He wants them to have the right, and he knows it.

Mr. R. F. Nixon: The Premier kept hoping for it to save his political figure, and he knows it. Of all the irresponsible comments to make in this House, that is totally irresponsible.

Mr. Speaker: Order please. Does the member for Scarborough West have further questions?

Mr. Lewis: No wonder the Premier is going to come back here in January. Now we know why the government wants to come back in January, for its compulsory arbitration legislation.

Hon. Mr. Davis: No, the member has no idea.

STUDY OF VINYL CHLORIDE

Mr. Lewis: May I ask the Minister of Health a question—I'm not sure whether he is wearing a neck brace or a decoration.

Mr. J. R. Breithaupt (Kitchener): Another tryout for Bozo the clown.

Mr. Lewis: Try a cough drop, it's more effective for what ails him.

May I ask him, now that it is known that we were, in fact, talking about the same substance—vinyl chloride in the workplace and outside—how does he possibly justify the workers in the plants being exposed to a level 100 times greater than that which has now been determined by the Ministry of the Environment as tolerable for the community?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I'm not sure either, this morning, what this thing is for, but the party last night was very enjoyable.

Mr. Deans: It is holding his head on.

Hon. Mr. Miller: Somebody said this morning that at least it was in keeping with my character.

Hon. Mr. Grossman: The minister shouldn't move too much or he'll take off.

Hon. Mr. Miller: If it starts going this way I'm in trouble.

An hon. member: Turn the lights off.

Hon. Mr. Miller: It's another gift of my wife's.

Mr. Breithaupt: I haven't seen anything like that since Clarabelle.

Hon. Mr. Miller: Mr. Speaker, I know the leader of the New Democratic Party has, like myself, been talking to my staff, certainly with my willingness and consent, to find out whether these standards were meaningful. The basic reason, they claim, for the large difference between the two standards within the workplace and in the community is related to: (a) the total exposure in the community; (b) the fact that people may be unaware of the fact that they are in contact in the community, whereas in the workplace they are; (c) the varying ages and health of the people in the community as compared to those within the workplace.

Having listened to all those reasons, and hoping they are valid, I still have in the back of my mind enough doubt to be questioning the great difference between those two standards.

Mr. Lewis: By way of supplementary, since in the United States the level is being dropped to one part per million on Jan. 1, 1975, might the minister between now and then consider the really horrendous possibilities if these optimistic hopes of his staff prove wrong, and the fact that the men in the workplace should not be subject to 100 times the level of contamination that the community is subject to?

When one errs in this instance, one errs on the side of caution and brings the level down. Would the minister do that? Thank you.

FOOD COMPANY PROFITABILITY

Mr. Lewis: May I ask one question of the Minister of Consumer and Commercial Relations? As the minister goes through his litany of supermarket companies, could he ask for an explanation from General Mills (Canada), whose increase for the year ending April 30, 1974, is 114.3 per cent higher than it was in the previous year? In light of the minister's earlier remarks, could he ask of them, as well, an explanation?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Yes, Mr. Speaker.

Mr. Lewis: No further questions.

Mr. Speaker: The Minister of Transportation and Communications has an answer to a question.

OBSTRUCTION OF HIGHWAY 401

Hon. J. R. Rhodes (Minister of Transportation and Communications): Thank you, Mr. Speaker. The member for Waterloo North (Mr. Good) yesterday asked me the question:

> 'Is the minister aware that the construction opposite the international airport on Highway 401, when it reduces the traffic to one lane as it did this morning, ties up the traffic for at least 10 miles along the 401, so that it takes about 40 minutes to get through? Would the minister instruct the construction company to post signs at the Highway 10 and Dixie intersections warning that there is construction ahead . . .?

Mr. Speaker, traffic on the 401 eastbound was reduced to one lane yesterday morning. The contractor was in the process of constructing the detour which will connect to Highway 401, and there was this specific operation which required the closing of one lane. Normally such an operation would be cleared for approval through my ministry's district office. However, in this case the contractor proceeded without prior approval.

The hon. member may be assured that the matter has been taken up with the contractor, as it is a condition of the contract that two lanes will be kept open whenever possible. My ministry will ensure that a sign is posted to the west of Highway 10 to warn eastbound motorists of the construction ahead. In addition, we will post a sign advising that traffic is restricted to one lane whenever a planned activity is under way which so restricts the traffic. I will undertake to ensure that planned activities which so restrict traffic will in the future be undertaken during non-rush-hour periods.

Mr. Speaker: The member for Rainy River.

HAMILTON CAVE-IN

Mr. T. P. Reid (Rainy River): Mr. Speaker, I have a question of the Minister of Labour. Has he now had the report from his officials in the industrial safety branch in regard to the cave-in in Hamilton this summer, and also the report of the inquest? What steps has he taken to ensure that the inspections of these types of things are carried out more consistently and more with a view to the safety of the men involved?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I thought I could put my hand on the newspaper clipping in connection with it. The inquest was held, as the member knows, and it found certain facts arising out of that Hamilton cave-in. I know that it didn't put any responsibility on our inspection people. In other words, it referred to their inspections and found that their inspections had been carried out in a satisfactory manner. I have not seen a report of any inquest in connection with it. I can ask for that and see if I can obtain it.

I think, Mr. Speaker, that our procedure will be to carry on as best we can with the people who have and continue making the type of inspections that we were making. We'll make them more frequent if we can do so. I don't think there was any fault found with the inspection that we had carried out there.

Mr. Reid: Supplementary, if I may, Mr. Speaker: Is the minister aware that one of the criticisms was that his inspector merely looked at the certificate that was issued without really making sure that the certificate and the information thereon were being complied with?

Hon. Mr. MacBeth: No, I am not aware of that. Was that in the inquest?

Mr. Reid: That was in the inquest.

Hon. Mr. MacBeth: Well, I'll get a copy of that. I am not aware of that, Mr. Speaker.

Mr. Speaker: The hon. member for Wentworth.

HAMILTON SOLID WASTE REDUCTION UNIT

Mr. Deans: Mr. Speaker, I had a question of the Minister of the Environment, hiding behind the Minister of Government Services (Mr. Snow). When can the regional municipality expect to hear from the Minister of the Environment with regard to the possibility of funding or financial assistance for the SWARU project which is not yet really operative?

Hon. W. Newman: Mr. Speaker, the last time I was there the plant was quite operative and was working.

Mr. Deans: There are still a lot of problems.

Hon. W. Newman: They have had some technical difficulties over the last year or two in getting going. I think the plant is operating very efficiently at this point in time, or it was when I saw it the day I was there.

Mr. Deans: It operates on a—

Hon. W. Newman: They do have some engineering problems there. We are aware of that. Through the good graces of the member for Hamilton Mountain (Mr. J. R. Smith) and the Minister without Portfolio (Mr. McNie), I did meet with them, I believe about a week ago, to discuss this SWARU plant in Hamilton. At that time I asked their engineering people to get together with my engineering people to see just exactly what could be done to make the plant more efficient.

Mr. Deans: That was not what I asked. If the minister has to meet with them to make it more efficient, then it obviously isn't working properly. The question I'm asking is, is the government prepared to assist in what was essentially a pilot project, funded primarily by the municipality, by providing some funding to relieve the municipality in the same way that he is going to relieve a number of other municipalities of financial involvement in providing treatment plants for garbage?

Hon. W. Newman: Let me just say this, Mr. Speaker, that in the whole solid waste recovery programme we have announced for the Province of Ontario, we announced six areas which we felt were in a very critical situation at this point in time with the greatest need for these plants in these particular areas. Hamilton does have very good sanitary landfill sites and we want to get the programme going. I said I would discuss all those matters with them after we found out what has to be done to the SWARU plant to make it more efficient and what the total cost is going to be to do it. We don't know that at this point in time.

Mr. Speaker: The Minister of Community and Social Services has the answer to a question.

BELL DIRECTORY ASSISTANCE CHARGES

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, yesterday the hon. member for Scarborough West asked a question concerning application forms for exemptions for directory assistance charges. I believe his concern was about the providing of confidential information to a corporate firm like Bell Canada. I can certainly appreciate the concern of the member or of any member about private information being conveyed to a corporation. I have looked over the directive that our family director sent and also the application form and I have sent copies, Mr. Speaker, to the hon. member.

I believe in this particular case there is no confidential information given. It's a very simple form. If a person is 65 years of age and over and wishes to avail himself of this service, all he needs to do is to get certification of his age from either his clergyman or minister or whatever the case may be. If he is under 65, all he needs to do is to get certification from his physician that he is disabled.

I should clarify that this is a service that applies to those who are disabled and over 65. This came about in November when there was a service charge of 25 cents introduced for directory assistance. For up to three calls per month, there is no charge. This would apply only to those who feel that they will be making several calls. I would also like to add that our own people will fill out these forms. They are there to assist these people.

I do not believe, Mr. Speaker, that there is any confidential information conveyed.

Mr. Lewis: Supplementary, if I may, Mr. Speaker—

Mr. Speaker: One supplementary.

Mr. Lewis: In two quick parts. First, surely the minister admits the possibility of violating confidentiality since on its own form Bell Canada has to put at the top, "All information on this application will be kept in strict confidence," and the reason for exemption has to be given by the applicant, which immediately reveals the nature of the disability.

So, as a supplementary, first, why should a private company have access to this information? But, second, why does not this ministry simply give to Bell Canada a list of the phone numbers for all of those who are involved and simply say to them that those numbers are to be exempted? Why should they know the specifics of every single applicant?

Mr. Renwick: That's right.

Mr. Foulds: Good question.

Hon. Mr. Brunelle: First of all, as I indicated earlier, Mr. Speaker, this is entirely a service being offered by Bell Canada—

Mr. Lewis: A service?

Mr. Renwick: It is not being offered by Bell Canada.

Mr. Lewis: What service?

Hon. Mr. Brunelle: It is; it is a service to elderly persons and to those who are disabled. Now we will look into—

Mr. Renwick: The board in Ottawa would never have granted the privilege of this if they had not—

Mr. Speaker: Order, please. The hon. minister is answering the question.

Hon. Mr. Brunelle: They had not what?

Mr. Lewis: They have to make exemptions.

Mr. Speaker: Order, please. Will the hon. minister answer the original supplementary?

Hon. Mr. Brunelle: With reference to the suggestion that we make the list available, we will look into that. If it's not too large an administrative—

Mr. Renwick: It is not too much.

Mr. Lewis: It is less than filling out every bloody form.

Hon. Mr. Brunelle: Do not forget that we have more than 80,000 recipients receiving family benefits—

Mr. Lewis: They are going to have to fill out every form.

Hon. Mr. Brunelle: —and there are more than 600,000 persons in this province who are 65 years of age and over.

Mr. Speaker: The member for Essex-Kent.

PREMIUM NOTES

Mr. R. F. Ruston (Essex-Kent): I have a question of the Minister of Consumer and Commercial Relations with regard to premium notes on mutual insurance companies. Since the mutual companies now have set up a fund of $1 million in lieu of premium notes, does the minister intend to change the regulations or the Act that would allow them to stop having the premium notes signed?

Hon. Mr. Clement: Mr. Speaker, I am aware of this situation. I am advised at the present time that it might well be very advantageous for the mutual companies insofar as those writing fire protection are concerned. The same remarks do not apply to those mutual companies which write weather insurance. We are looking into it. I have had communications from several members of the House who demonstrated their interest in it, but I can give no firmer answer to the hon. member, at this particular time, other than to say I am aware of it and of the problem insofar as the insurance companies underwriting that kind of coverage are concerned.

Mr. Speaker: The member for Port Arthur.

THUNDER BAY STUDY

Mr. Foulds: Thank you, Mr. Speaker. A question of the Treasurer, if I might: Why is it that in the terms of reference for the study for the proposed heavy industrial complex or complexes in Thunder Bay he has specifically excluded public participation as a criterion for phase one of the study? Secondly, why is it that the study does not consider housing as one of the things that it should be looking at in terms of the impact of the industrial complex?

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, I don't know what document the hon. member is referring to. If he will show it to me some time I'll get answers to whatever questions he may have.

Mr. Foulds: A supplementary, Mr. Speaker: It is a document that the Treasurer sent to me on Nov. 12.

Mr. Speaker: The member for Welland South.

Mr. R. Haggerty (Welland South): I did have a question but the minister is not in the House.

Mr. Speaker: The member for Kitchener then.

CONFLICT-OF-INTEREST REGULATIONS

Mr. Breithaupt: Mr. Speaker, a question of the Attorney General: Following our earlier discussions with respect to the matter of conflict-of-interest regulations, can he advise if he will be able to inform the House before the Christmas break whether in his opinion the regulations will be more effective if introduced by the region, or whether he intends to have a pattern of regulations with respect to matters such as those applicable to all of the civil servants within the province, both provincial and regional?

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Yes, Mr. Speaker, I intended to do that. In fact, I thought I had. But I'll clear that up next week.

Mr. Speaker: The member for Nickel Belt.

RETIREMENT PENSIONS

Mr. Laughren: Thank you, Mr. Speaker. A question of the Minister of Consumer and Commercial Relations: Would the minister be prepared to introduce legislation which would prevent agreements between employers and insurance companies to reduce retirement pensions for working people as a result of increases in cost-of-living awards from the federal government?

Hon. Mr. Clement: I'm sorry. I didn't understand the question. Perhaps the member might state it again.

Mr. Laughren: Mr. Speaker, what I am asking the minister is whether or not he will be willing to introduce legislation which would prevent insurance companies from reducing private pension plans, which guarantee a percentage of a man's income for his retirement, as a result of cost of living increases from the federal government's pensions?

Hon. Mr. Clement: As I understand the member's question, the situation of which he complains is where a cost of living increase on the federal pension of, say $5, is payable by the federal government, then the applicable employer-employee contract is reduced, probably by a similar sum so that the net increase to the recipient doesn't change?

Mr. Laughren: Exactly. So he doesn't benefit from the cost of living increase, Mr. Speaker.

Hon. Mr. Clement: Mr. Speaker, those matters of course are I suppose one of private negotiation on the original contract between the employer and the underwriter.

Mr. Laughren: That's why it requires legislation.

Hon. Mr. Clement: It might require legislation, I don't know. I haven't considered the problem, but it might well be one, I am sure, that should be and will be a matter of negotiation between the employee and employer in the future. If we did introduce legislation, we could not, I suppose, make it retroactive for a number of reasons, but I will look into it. I haven't considered the problem.

Mr. Speaker: The member for Huron-Bruce.

EGG INDUSTRY PRODUCTION CONTROLS

Mr. M. Gaunt (Huron-Bruce): Mr. Speaker, I have a question of the Minister of Agriculture and Food. Has the minister made any progress in respect to instituting production controls in the egg industry as recommended by the advisory committee?

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, not as yet. The matter is actively under consideration.

We would like to see what's going to happen in connection with CEMA first. I have some reservations about implementing production controls in the province if CEMA isn't going to continue, and I would like to know the situation there. We are certainly supporting it, but I would like to know just where we are at in that regard.

Mr. Gaunt: A supplementary: Does the minister have any answer or recommendation with respect to the new buildings which are now being constructed apparently to house replacement pullets?

Hon. Mr. Stewart: I wouldn't know why anybody would be constructing buildings to house pullets when we are over-supplied with those buildings today in some quantity. It would seem to me that it would be a substantial error in judgement and completely imprudent for anybody to be doing that today in Ontario.

I think it points up the difficulties, Mr. Speaker, that are associated with this industry when people try to take advantage of a situation in that regard.

Mr. Gaunt: Supplementary.

Mr. Speaker: One final supplementary.

Hon. W. D. McKeough (Minister of Energy): Resign!

Mr. Gaunt: What is this?

An hon. member: Did the Chairman of the Management Board wake the minister?

Mr. R. F. Nixon: The minister can say that in good time.

Mr. Gaunt: Good morning.

An hon. member: Pass the omelette around!

Mr. Lewis: The Minister of Energy is like the dormouse in "Alice", isn't he? He just woke up and had to say something.

Interjections by hon. members.

Mr. Gaunt: I will have a question of the Minister of Energy later.

I completely concur with the minister's observations. I put the question to the minister in this way: Would the minister advise the egg board that in his view this is a very serious mistake on the part of egg producers who are building new buildings, presumably to grow their own pullets and to replace the pullets that have already been grown by legal and registered pullet growers?

Hon. Mr. Stewart: We will take that suggestion under consideration, Mr. Speaker.

Mr. Speaker: The member for Wentworth.

COSTS OF REGIONAL GOVERNMENT

Mr. Deans: I have a question of the Treasurer. Is the ministry monitoring the cost of providing services under regional government, particularly relating to the Hamilton-Wentworth region? Is there a process in use which determines how much additional cost there is now to provide the services that are being provided over and against the cost prior to the implementation of regional government? And will the ministry provide a round figure, a figure of what it actually costs, both for realty taxes and for transitional grants and other provincial grants, in order that people who are paying the taxes will have some idea of what it's likely to cost them, if and when the province no longer provides the grant structure that it currently provides on an interim basis?

Hon. Mr. White: Yes, Mr. Speaker, we are monitoring and analysing these costs. Our conclusions have been that regional government saves money at any particular level of services.

Now there are a couple of variables at work here which may lead opponents of restructured government to a different conclusion. First of all, when municipalities come together in a new region, there is a tendency on the part of citizens in areas where the level of services has been low to expect and demand the highest level of services available in any particular community within the region. This urge is often translated into action by the municipal politicians. I'm not suggesting that's wrong, but if in a region which was policed, let us say by the OPP in part and in part by a sophisticated municipal police force and the council decides that there shall be this much higher level of policing throughout the region—

Mr. Deans: That will cost more money.

Hon. Mr. White: Then, of course, it's going to cost more money.

Mr. Deans: That's pretty obvious. Even I would understand that.

Hon. Mr. White: The second variable that affects this is one of the principal objectives of regionalizing itself. When the Ford Motor Co. located at Tempo, the township in which the location took place was able to cut its mill rate in half and still have far more money than it needed. In the meantime, the costs were pushed into St. Thomas and London for a wide variety of public services, starting with bassinets, places in schools, hospitals, roads, libraries and all the rest of it.

Mr. Deans: How about relating directly to Hamilton Wentworth?

Hon. Mr. White: So when an area such as that is regionalized, those people who have been undertaxed for the services they've consumed are thereupon called upon to pay for their share of the burden, and this may be happening in Hamilton-Wentworth too.

Fundamentally, over the past few years the mill rate increases in the regionalized and restructured areas have been exactly the same as the mill rate increases in non-restructured areas.

Mr. Deans: Not so.

Hon. Mr. White: Yes, it is so. It's about four per cent a year.

Mr. Deans: Not by the ministry's own statistics.

Hon. Mr. White: Yes it is.

Mr. Speaker: The oral question period has expired. I will recognize the member for Essex-Kent.

Mr. Ruston: Thank you, Mr. Speaker. I wonder if I could welcome 85 students from Belle River District High School who are in the east gallery, accompanied by Mr. Thomas Lightbody and Mr. Halpin, who is the son-in-law of the hon. member for Windsor-Walkerville (Mr. B. Newman).

Mr. Speaker: Petitions.

Mr. Lewis: Mr. Speaker, do you know where the member for High Park (Mr. Shulman) is?

Mr. Speaker: I wasn't really worrying about it.

Hon. Mr. Rhodes: He's sailing the Great Lakes.

Mr. Lewis: Does the Solicitor General (Mr. Kerr) know where he is?

Mr. Breithaupt: He is paired with the Premier.

Mr. Speaker: Presenting reports.

Motions.

Introduction of bills.

ONTARIO SPCA ACT

Mr. Gaunt moves first reading of bill intituled, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act, 1955.

Motion agreed to; first reading of the bill.

Mr. Gaunt: Mr. Speaker, I just want to indicate that the purpose of the bill is to extend the exemption of taxation under section 9 of the Act to include the Toronto Humane Society.

LEGISLATIVE PAGES

Mr. Speaker: Just before we move into the orders of the day, I would like to inform the members that this is the last day on which this particular group of pages will be with us. They've served us well for the last seven weeks. As is the custom, we will read their names into the record and send them a copy of the appropriate Hansard. I have their names and addresses but I do not have the ridings to which they belong, so that will have to be filled in by each one. They are: Brian Armstrong of Brussels, Carol Barr of Toronto, Kathryn Beech of Cobourg, Robert Ellsworth of Ridgeway, Carol Finbow of Huntsville, Jacky Giroux of Sudbury, Cameron Huffman of Markham, Fraser Kelly of Sault Ste. Marie, Ricky Ofner of Thunder Bay, Kathryn Pettit of St. Thomas, Julie Racok of Niagara Falls, Gabrielle Rubaj of Toronto, Charles Sleep of Britt, Alison Sloga of Mississauga, Harold Sturm of Rexdale, Randy Thomas of Scarborough, Richard Vermeulen of Richmond Hill, Roy Webster of Scarborough, Tom Weller of Islington and Jessica Zlotnik of Oshawa.

They will each carry their respective observations back to their own community, I am sure, and I hope they will be good.

Orders of the day.

Clerk of the House: The third order. House in committee of the whole.

ONTARIO ENERGY CORP. ACT

House in committee on Bill 158, An Act to establish the Ontario Energy Corp.

Mr. Chairman: Is there any member wishing to speak to section 1 of this bill? What section?

Mr. J. A. Renwick (Riverdale): I would like to comment on section 4 of the bill, Mr. Chairman.

Mr. Chairman: Anything before section 4?

Sections 1, 2 and 3 agreed to.

Mr. Chairman: On section 4.

Mr. Renwick: Mr. Chairman, perhaps the minister would tell us whether or not he has determined who the people are going to be that he intends to appoint to the board of this corporation? It would appear to me that he must have had some discussions with respect to membership on the board. What is his ultimate intention with respect to the size of the board?

Hon. W. D. McKeough (Ministry of Energy): No, really no discussions have taken place yet that I have been privy to. Perhaps the Premier (Mr. Davis) has had some discussions. They are in a very preliminary stage as to the composition of the board. The member will note that the corporation comes into being on a day to be named. That's the reason why when the bill is passed, we will seek out the board. They will have to be appointed at the same time as the Act is proclaimed.

As to the size, the member will recognize that the corporation could, at a shareholders' meeting—which shouldn't be too difficult to

arrange since there is only one at the moment or will be only one—increase the size of the board. We think five is the place to start. I have no fixed feelings on that and it may turn out to be six in the first instance.

Mr. Renwick: Perhaps I could jump ahead then because of the minister's response? When does he anticipate that the corporation will be a viable corporation and ready to commence its operations?

Hon. Mr. McKeough: I would hope in January or at the latest February. You asked about the composition of the board. Let me give some indication as to the kind of people I think we should be seeking. They will be business people in the broad sense. We would like to find two out of the five, for example, with some energy knowledge, and the more the better. This becomes somewhat difficult because of, if not real, then perceived conflicts. It will be a little bit difficult to seek the kind of people or get the kind of people we want, bearing in mind the perceived conflict.

Obviously, we would like to have on the board one or two people knowledgeable in the exploration business, and I think that's going to present some problems. I don't know whether we will be able to do it or not.

Going on from there, we envisage the corporation, in the first year or two years, to be really nothing more than a board, with a chairman who may be full-time—I suspect he may be part-time, two or three days a week sort of thing, on a per diem basis—a secretary and that's it. The personnel will be provided, again perhaps for a year or two years, perhaps longer, by the ministry. If, for example, the determination of the board at its first meeting was that it should look into investing in the Syncrude project, which we talked about last night, I think it would go to the ministry. I think they would perhaps go to Treasury, and I think they would perhaps go to some consultants, or ask the ministry to go to consultants, and research that whole thing without building up the staff in the first two or three years, which may well be available within the ministry or within some other ministry of the government. I don't think that will hold forever.

As for the financial affairs of the corporation, we have already asked that Treasury designate an officer who will probably be the treasurer of the Energy Corp. on an, obviously, very part-time basis. We hope to start that way.

Mr. Renwick: Mr. Chairman, I was somewhat surprised in this section not to see some control on or some reference to the remuneration which is going to be paid. I heard what the minister said a moment ago, that if the person in the initial instance is part-time he would be paid some kind of a per diem rate. Is it not customary that these appointments, certainly in the initial instance, should be subject, so far as remuneration is concerned, to the approval of the Lieutenant Governor in Council? In addition to that perhaps important but rather technical question, what is the range of remuneration that the government is thinking about?

Hon. Mr. McKeough: The remuneration of the directors and of the chairman on a per diem, I would expect would be something which Management Board would have a good look at, and would fit into the various schedules which it has established over the years. I have just forgotten what the remuneration for Ontario Hydro is. I think it is a base amount of something like $2,000 a year—it may be three, I have forgotten—and so much per meeting. As I recall, $150 or $200 per meeting. I would think that was determined by Management Board, and I would assume we would be following the same sort of thing here. Of course, the remuneration of directors would have to be approved by the shareholders, and that, again, is the control.

Mr. Chairman: Section 4.

Mr. R. Haggerty (Welland South): I wanted to speak on section 4. I spoke last night about it, and perhaps maybe the minister can clarify it. Section 4 says:

> (1) There shall be a board of directors of the corporation consisting of five members and the first directors of the corporation shall be appointed by the Lieutenant Governor in Council to hold office until their successors are elected by shareholders of the corporation.
>
> (2) A majority of the members of the board shall at all times be resident Canadians.

This is what I am concerned about.

Hon. Mr. McKeough: I might have answered that last night, and I should have, because the member raised it last night. "Resident Canadians" means Canadian citizens resident in Canada.

Mr. Haggerty: Registered in Canada?

Hon. Mr. McKeough: Resident.

Mr. Haggerty: Resident in Canada. This doesn't say that the directors are going to be from the Province of Ontario. The directors could be from Alberta and, of course, as I said last night, there are a number of giant oil corporations out there, with a number of knowledgeable persons dealing with the oil industry, who own homes here in Canada, but don't actually live here. I think if one goes back to the select committee report dealing with Canadian economic and cultural nationalism, I think it definitely stated there that 51 per cent ownership, as suggested in this bill, will not necessarily accomplish the goal of ensuring that control of the province's resources will remain in Canadian hands.

If the shares issued to Canadians are widely held and the remaining shares are concentrated, foreigners may still have effective control of the province's Energy Corp. and related matters. I think particularly too, of the uranium holdings here in the Province of Ontario. We could lose complete control of that.

Hon. Mr. McKeough: No, no. Look at section 4(1), or—

Mr. Haggerty: Section 4(2)?

Hon. Mr. McKeough: Section 16, is it?

Mr. Haggerty: Section 16. That's right.

Hon. Mr. McKeough: No, section 17. We're going to have a majority. The minister is going to subscribe; unless the Act is amended, the minister at all times will have a majority of the shares, 51 per cent plus.

Section 4 agreed to.

Mr. Chairman: Is there anything before on section 6?

Mr. Renwick: Section 6, Mr. Chairman.

Mr. E. J. Bounsall (Windsor West): Section 5, Mr. Chairman.

Mr. Chairman: Section 5.

On section 5:

Mr. Bounsall: Yes, why must the head office of this corporation be in the municipality of Metropolitan Toronto? That may well be where it turns up, but why on earth are you building it into the legislation and forcing it to be here in Metropolitan Toronto?

Hon. Mr. McKeough: It just happens to be the capital.

Mr. Bounsall: That is not an adequate explanation, surely. It could be sited anywhere in the Province of Ontario. It doesn't have to be in the capital city.

Hon. Mr. McKeough: It doesn't have to be, but it seems to me to be logical.

Mr. Bounsall: On what basis?

Section 5 agreed to.

Mr. Chairman: On section 6, the hon. member for Riverdale.

On section 6:

Mr. Renwick: On section 6, my main question is why the minister specifically thinks it necessary that the activities of this corporation be carried on outside Canada and that they should have that power to go abroad. In the first of the "objects" clauses there's a reference to "investing or otherwi e participating in energy projects throughout Canada or elsewhere," but the other objectives of the corporation are not limited to Canada as well. I would like to know specifically whether it's just the generalized drafting of the lawyers who happened to write the bill or whether it has some substantial purpose behind it.

Hon. Mr. McKeough: No, I think it was done deliberately. I thought I explained that last night, but perhaps I didn't explain it very well. Interestingly enough, since we announced the corporation on Sept. 4, I suppose we have had 20 or 30 suggestions or proposals of one sort or another put to us as to what the corporation might or might not do. We've spent—either I, the deputy or some of the staff—a certain amount of time on each one of these, saying that we were reserving them all for the corporation and we will hand those files to the chairman when he's appointed to the board.

Just as a guess, at least a third of those—I shouldn't define it as one-third; it may be more or less—but a number of those fall into the category of small Canadian independent petroleum companies who are in need of partners to expand their exploration activities. In several instances they are companies that have uncommitted reserves of oil or gas which our purchase by way of debt or equity in those small Canadian companies, some of them not so small, would guarantee that oil or gas to the Ontario market.

When I say those companies are small, many of them are small in relation to the Exxons of the world, I guess, but a number of them have interests in the North Sea, a number of them have interests elsewhere in the world; one, as I recall, had interests in

Mexico. If we were to enter into a joint venture with them, I think we might will be taking a small part of the action in the North Sea. You might want to dispose of that very quickly, but you could be involved for a period of time in a minor way in exploration activity; and I just use the North Sea as a possibility. I think, to be perfectly fair, we should go beyond that. It might well be that the energy corporation would feel that the best and the cheapest place to find oil today might well be, for example, Mexico.

If we see a real oil shortage developing which is a great concern to Ontario, then their recommendation might be that we would get faster results by putting money, for example, into Mexico than putting it even into offshore on the east coast or into the delta. I don't think that's a real possibility but I wouldn't want to close the door to it. And I think that is the reason for the background to that phrase in the particular subsection 6(a).

Mr. Renwick: Mexico, of course, would be a good example for you to follow in relation to its relationship with the oil industry.

Hon. Mr. McKeough: Yes. Well, we might want a joint venture with the Mexican petroleum company. I'm sure my friends who voted against the bill last night would be embarrassed at that point when we entered into a joint venture with Mexico.

Mr. Renwick: As a matter of fact, we would be pleased if you did.

Hon. Mr. McKeough: All right.

Mr. Chairman: Shall section 6 carry?

Mr. Bounsall: No.

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Mr. Chairman, in section 6(b) one of the specific objects is to "develop . . . other forms of fuel and energy." The minister remarked last night in his reply how inconsistent the four speakers who spoke on this bill were, but I find a particular section of the minister's reply remarkably inconsistent, where he said several times that Hydro is big enough and has its specific mandate in the field of electrical power. Yet when it comes to finding a technologically produced replacement for natural gas, you exclude a company with which Hydro is competing and has therefore, I think, not shown any other attitude except to compete with them in the past in terms of providing energy, and you say that whole technology of looking at and producing hydrogen gas as the replacement for natural gas is not to be a concern of this energy but is to be a concern of Hydro and has in fact been given to Hydro.

I find that remarkably inconsistent. On the one hand, Hydro is big enough and has its hands full producing electrical power; on the other hand, we are giving the hydrogen problem to Hydro. Could the minister explain his thoughts more fully on that?

Hon. Mr. McKeough: We are not giving any problem to anybody, but I would suspect that Hydro has done some work on the hydrogen economy over the years; certainly for the time being that is where that work should continue. A great deal of it does depend on the electrical supply and there is that tie-in. I don't say that it would stay there forever, but certainly in the initial stages of the corporation—I think I said last night that hydrogen economy was at least 25 years away or up to 25 years away—I think for the next five years or so we would want to leave our efforts in that area and our monitoring of the whole situation with Ontario Hydro rather than moving it.

Mr. Bounsall: Just one further question on this point, then: As the corporation here will be involved with all forms of energy, I assume one of its tasks will be to involve itself with Ontario Hydro, assuring itself that Ontario Hydro is progressing, and that therefore they will be at the same time looking at Hydro's progress in the hydrogen research field.

Hon. Mr. McKeough: Yes.

Mr. Chairman: Shall section 6 carry?

Hon. Mr. McKeough: Just referring to my friend from Riverdale's question so that we are clear with regard to the composition of the board, we don't preclude an interchange at that level.

Section 6 agreed to.

On section 7:

Mr. Renwick: Mr. Chairman, my only question on section 7 is: What sort of global number of dollars must the ministry have been thinking about when they established the authorized capital with these particular figures? There must have been some kind of a ball-park operation operating.

Hon. Mr. McKeough: On Sept. 4 we said $100 million, and that figure still holds. Whether it is all advanced to the corporation by

way of equity between now and the end of the fiscal year, or whether none of it is or whether more is advanced, we honestly don't know. It will depend on the scope of the first investments.

There is no point in transferring over to the corporation a large amount of money and having them in the temporary investment business. We will try and keep it with the Treasurer (Mr. White) as long as it can be. But for global figures, $100 million.

Mr. Renwick: The $100 million would include money invested by way of share subscription, as well as money lent to the corporation?

Hon. Mr. McKeough: Yes.

Sections 7 and 8 agreed to.

Mr. Chairman: Is there any other section of the bill the members wish to speak on at this time?

Mr. Bounsall: Section 22.

Mr. Chairman: Anything before 22?

Mr. Renwick: Before we get there, I think the language of section 13 is clear with respect to the ownership abroad of interests in the corporation—but I think I would like to hear the minister's comments about the 10 per cent limitation and the 5 per cent limitation.

Hon. Mr. McKeough: These restrictions, or provisions, are identical to those in the Ontario Transportation Development Act, and we simply accepted them without giving it a great deal more thought than that. That seemed like an appropriate place.

Mr. Renwick: I see.

Section 13 agreed to.

Mr. Chairman: The hon. member for Windsor West wanted to speak on section 22. Anything before 22?

Mr. Renwick: I just wanted to comment briefly on sections 18 and 20.

Mr. Chairman: The hon. member for Riverdale.

Mr. Renwick: In section 20 there is the provision for funds to be advanced out of the consolidated revenue fund with respect to share subscriptions until the end of the current fiscal year of the government, and thereafter to be paid out of moneys appropriated by the Legislature. I can't understand why the same provision is not included with respect to funds to be loaned to the corporation or invested in the corporation by the Treasurer under section 18.

In this day and age, there really isn't a great deal of distinction between how money is put into a corporation, particularly when they have got the opportunity of purchasing the common shares and repaying the funds to the Treasury.

It would appear to me to make sense that the moneys required for investment by way of loan in this corporation should be out of the consolidated revenue fund until the end of this fiscal year, and thereafter out of funds to be appropriated by the Legislature.

This touches upon not mere consistency; this touches upon the point which we expressed last night to be of great concern to us, and that is the accountability to this assembly for the funds which are invested in it.

Hon. Mr. McKeough: There are two things. The Treasurer, under the Financial Administration Act, I suppose, has the power to make loans to various Crown agencies, so it is not necessary here to spell that out and it is not necessary to have an appropriation to do it.

I don't quarrel with what my friend has said, but the other point is that the amounts are so nebulous. If we were asked to put in—and I think we will put in—an amount each year by way of an appropriation; and it may be either for a loan or for equity. I don't suppose we would want to put in a dollar, but it will be a nominal amount. Because I don't think at the beginning of any fiscal year the corporation will have—or certainly not when estimates are prepared—a firm fix on whether they need, by way of loan or equity, $1 million or $100 million during the course of a year. I think my friend would appreciate that these things may happen very, very quickly.

So there will be, I would think, a nominal amount. And whether it's specified as a loan or further share subscription will depend on what plans may develop during the course of the year by the corporation insofar as going public is concerned, which isn't going to happen in the first two or three years.

Mr. Renwick: I am content with what the minister has said because, just so long as we do get the assurance from the minister that there will be appropriations—whether it's $1 or $10, I really don't care, so long as the money is to be appropriated it gives us an opportunity to comment about the affairs of

this corporation and to directly question the minister about it. If it is not there, we are in the rather nebulous situation which we are often in with respect to other boards and commissions. With that understanding that there will be some dollars included in the ministry's estimates, we have got some kind of handle to open up questions related to the corporation.

Sections 19, 20 and 21 agreed to.

On section 22:

Mr. Chairman: The hon. member for Windsor West.

Mr. Bounsall: Thank you, Mr. Chairman, I have an amendment to make to section 22(2).

Mr. Bounsall moves that the following phrase be added at the end of section 22(2): "and the report shall then be referred to a standing committee of the assembly."

Hon. Mr. McKeough: I spoke to this last night, Mr. Chairman. I recognize that this apparently is in another bill. It was an amendment which was accepted by another minister but I don't propose to accept this amendment in this bill. I think you clutter up Acts with unnecessary verbiage.

The report will be laid here. It may well be that it makes sense for the total assembly during estimates or at another time to discuss the affairs of the corporation fully. I don't know that a standing committee is necessarily the place in a given year where it would be discussed or not be discussed. I think that's something that the assembly decides at the appropriate time and is not put in legislation. For those reasons, I would not accept the amendment.

Mr. Bounsall: Speaking to it, Mr. Chairman, I regret that very much, particularly over the first two or three years in which there will be no common shares issued. There will be no stockholders' meetings then.

I think that other than just in the time strictures of the estimates the members of he House and the members of the public would find it very profitable, as perhaps would the members on the board of directors, to meet with us and outline what their plans are and what they have done in the past as a transfer of information. This would take two or three days in the course of a given year. There's often the technical time problem where the annual report of the corporation would be laid before the House after your estimates for the year have been discussed so that we have gone perhaps a year plus before we get back to you over the details that are in that report in a meaningful way in terms not of just questions in the House but of a way in which information could be transferred and suggestions made.

I would hope that that would take place. If the minister is suggesting there is some better way other than a standing committee of the House to which all members and the public could come to talk to the board of directors about the corporation, so that at least yearly over a period of a couple of days we could have that sort of informal questioning and exchange of ideas, which has proven to be so valuable in the past. I would be interested to hear it. Two or three days a year for that sort of exchange is not an unreasonable way for this corporation to be operating vis-à-vis us and the public.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, I would commend this amendment to the minister. We have seen over the last few years the assembly on occasion debate, or at least discuss, the reports both of the Workmen's Compensation Board and of Ontario Hydro. We now see developing in accordance with the legislative programme of the government this year two new and very substantial corporations. The first is the one set out in this Bill 158, the Ontario Energy Corp. The second, which we will be eventually coming to, is set out in Bill 133, the Ontario Land Corp.

It would appear that these four particular emanations of government are going to have an increasingly important effect on the affairs of the province. I think we should be in a position to discuss the activities of those four areas in some formal way within the Legislature. I think it would be worthwhile to develop the practice and to put into the statute that the report of this particular organization will come before the House on a regular basis. Whether it should go to standing committee or not is something the Legislature can decide, but I presume that standing committee would be the better place to send it because of the input that could come from citizens and other groups within the community.

I think the amendment is worthwhile and I think that it would be in the best interests of all of us if this organization, the Land Corp., and those other two I have mentioned, would be coming before the Legislature on a regular basis. I think the amendment is worthwhile and I'm sorry the minister cannot accept it.

Mr. Chairman: Does any other member wish to speak on the amendment?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the "nays" have it.

I declare the amendment lost.

Section 22 agreed to.

Bill 158 reported.

Hon. Mr. McKeough moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill without amendment and asks for leave to sit again.

Report agreed to.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 158, An Act to establish the Ontario Energy Corp.

Bill 136, An Act to amend the Land Transfer Tax Act, 1974.

PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

Mr. Beckett, on behalf of Hon. Mr. Rhodes, moves second reading of Bill 157, An Act to amend the Public Transportation and Highway Improvement Act.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, this bill does provide some housekeeping effects with respect to the general matters of public transportation and highway improvement within the province. There are a number of provisions that have been removed from the bill as they are somewhat redundant, due to later amendments of a similar nature in the main bill itself.

There are four particular areas in which the approval of the minister is being removed, and we think that in the housekeeping provisions in the bill these are worthwhile. First of all, we have an agreement whereby a local municipality, or a county or a suburban roads commission, can get together concerning the construction, widening or maintenance of county or suburban roads. We think that it will be only expected that the parties will agree if they are going to enter into any expense, and the removal of the requirement that the minister approve this kind of arrangement is worthwhile. Similarly, this may save some delay in the construction of a road.

In the dealing with gasoline pumps and signs near roads, with respect to county by-laws that concern those, again the minister's approval is being removed.

Finally, where a city or separated town issues debentures to raise money for work on suburban roads, again the minister's approval is not required. But of course one would expect that those debentures would receive the approval of the municipal board, just as other debentures would, so there is, in fact, some ultimate review of the necessity and approval of the expenditure which the municipality is going to make.

There are three sets of further circumstances where certain requests need not be authorized by resolution of the council. In the first case, for the payment of moneys allocated for road improvements, which are submitted to the minister. Secondly, where there are moneys allocated for rapid transit, which are also submitted to the minister. And thirdly, moneys allocated for public transportation that are submitted to the minister.

Again these changes—both with respect to the minister's approval and in these latter three the examples that I have given—avoid some of the red tape that no doubt involves itself as various expenditures being approved for improvements to highways.

Since each of the requests is going to be submitted with a detailed statement of receipts and expenditures, we presume there can be no question that the moneys are being spent on what is, in effect, an authorized project. We have no other comments to make with respect to the bill. It is of a housekeeping nature and we will support it.

Mr. Speaker: The member for Riverdale.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, in brief, these amendments are pretty innocuous. As I read it, the sections deleting references to public transportation are designed simply to eliminate overlapping clauses. For example, references to public transportation appear now in the amended section 87 of the Act, rather than in several other clauses throughout it. The only principle embodied in the bill is the decentrali-

zation of the Ministry of Transportation and Communication's responsibility.

Several sections—namely 2, 3, 4, and 5—eliminate the requirement of ministerial approval for various municipal road improvement works.

In December of 1973, on the Treasurer's (Mr. White) advice, the Ministry of Transportation and Communications went before the Provincial-Municipal Liaison Committee to discuss ways and means of decentralizing ministerial responsibilities. A committee was struck and the Association of Municipalities of Ontario worked closely with the ministry officials in the preparation of these amendments. According to the association, no features of the bill are offensive.

Sections 8, 9 and 10 remove the requirement of municipal council passing a resolution to authorize requests for already budgeted funds from the ministry.

Try as I might, I can't think of any malevolent purpose behind the removal. It will relieve municipal councils of one more tedious, non-substantive and time-consuming task.

I did check all the clauses to make sure there were no variations between the explanations opposite the amended sections and what the amendments actually do. It turns out, unfortunately, that the explanations are accurate and not misleading. Thank you.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, I would like to make a comment—rather than ask that the bill go to committee—on the practice that has been of such value in the past where the province has required that when municipal roads are going to be in receipt of provincial grants they must come up to certain specific standards of width, the control of run-off and so forth.

I would submit to you, however Mr. Speaker, that the value of those requirements is, perhaps, no longer so evident. There are repeated instances where municipal roads of one type or another should be upgraded as far as their surface is concerned, but it should no longer be necessary in order to get that assistance that there be a full 66 ft right of way, or at least that the measurements for the surface itself should have to conform so rigidly to standards which, undoubtedly have been established after careful research. I'm sure the parliamentary assistant knows full well of certain instances where a local municipality was not that keen to have a broad and modern type of road where it would involve the removal of trees; particularly in the case where this is a substantial subsidy for the improvement of streets in villages or police villages, like St. George where the hon. parliamentary assistant is himself well known.

The requirement that the streets come up to these specific and rather rigid specifications has resulted in the removal of trees and the paved part of the road coming up almost to the doorstep of the citizen's home. Certainly the council is quite anxious to have grants to improve these streets, but when the requirements are such as are dictated by ministerial specifications they don't seem to have the flexibility that is necessary.

I don't believe this happens frequently, but I would hope that the ministry and those people who assist the smaller municipalities in their road design would not only permit them to allow the roads to wind around the trees and things like that, but particularly take some initiative to see that the municipalities don't always go at road building with chain saws and with the curbs, gutters and everything which seems to be so necessary in the specifications as they are normally put forward.

There are instances in my own constituency in the last year, which I think have been a very serious abridgement of common sense in this regard—in my own village of St. George, and also of prospects in some of the townships in the constituency of Brant. When I question those people who have some responsibility in this regard they normally say they get along very well indeed with the highways officials but that it is necessary, in order to get the grants, to have the roads up to these certain specifications.

I would just suggest to you, Mr. Speaker, that the time has come for a great deal more flexibility so that the funds are available for the improvement of these roads where it is deemed proper locally, but the specifications and the impositions of the specifications should not be rigid.

Mr. Speaker: Are there any further comments by hon. members? If not the parliamentary assistant.

Mr. R. B. Beckett (Brantford): Mr. Speaker, as has been mentioned by the three gentlemen who have spoken to this bill, it's mainly removal of certain decisions concerning matters of local concern. I think the three hon. members have covered the whole matter. I would like to assure the hon. member for Riverdale that I'm glad he checked it, because I checked it and I was concerned because I could find nothing wrong with it.

With regard to the matters raised by the member for Brant, I believe the subject that he has broached here is under consideration by the ministry. It's not really within the terms of these amendments to the bill, but this concern that the approach of the engineers is always to build something wide and zoom right through is certainly being considered. I believe that the minister would appreciate any remarks, any comments, any advice the hon. members have on this matter. I think members will appreciate the fact that we have heard quite a bit about this, and the more we hear the sooner we can come in with some recommendation to this House.

Mr. Speaker: The motion is for second reading of Bill 157. Shall this motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion:

Bill 157, An Act to amend the Public Transportation and Highway Improvement Act.

LAND SPECULATION TAX ACT

Hon. Mr. Meen moves second reading of Bill 125, An Act to amend the Land Speculation Tax Act, 1974.

Hon. A. K. Meen (Minister of Revenue): It gives me great pleasure to move second reading of Bill 125.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: It is amazing how much pleasure one can derive from a simple exercise such as moving second reading of a bill like this, but I will have to take the minister's word for it.

Mr. R. F. Nixon: This bill has given him a lot of pleasure over the months actually.

Mr. Breithaupt: A statute like this has lurched back and forth across the order paper, including both its predecessor, Bill 25, and its successor. This, of course, is the son of Bill 25. We have as well grandson Bill 168 yet to deal with. I think the grandson is perhaps going to take somewhat more time to deal with than the son will.

Today, Mr. Speaker, we are dealing with some amendments which I am sure the minister would categorize as housekeeping. The valuation date, which he refers to in subsection (5) of section 1, sets out certain approaches which are, in effect, consistent with the federal valuation day procedures at least. I agree that the provision which is now being brought forward is a fair one so that a person who was holding land as of April 9, 1974, will not be penalized by the fact that that land may have fallen in value between the date he acquired it and April 9, 1974. As a result he could choose the date which is to a personal advantage, and that surely seems to be a fair way of dealing with it.

The amendments which are in the bill, specifically, are those which are completing certain matters of definition. The exemption of the long leases from the tax was discussed earlier on. The term of 50 years now replaces that of 10 years, so that there is a present value situation upon which the ministry can make a decision as to whether the speculation tax should be applied or not.

If it were otherwise, I would think the administrative difficulties would be such that a practical decision as to what is in most respects the transfer of a property would be very difficult to resolve. A 50-year lease surely is an effective transfer of title in all but name. The ministry obviously requires some kind of ability to deal with such an approach which might otherwise be an attempt to avoid the requirements of the statute.

A second amendment that this bill is bringing forward deals with farming land that is not exempt from tax because it is sold to a stranger and not disposed of to a member of the family. Under the bill, its taxable value is going to be reduced by one-tenth for each full year of farming, and once the maximum of ten years of uninterrupted farming has taken place, the tax is not going to be applicable. As a result, if a farmer does farm his land or her land for an uninterrupted 10-year period, then he is going to be able to sell it to a stranger whether for farming or development or recreation. The tax of course, will not be applied.

If the land was zoned for agricultural purposes, it obviously could not be used for any development, other than that which might be allowed through the various zoning changes which are available to any citizen within the province. However, we think the principle is a sound one, that this sort of exemption over the 10-year term should be a way of dealing with a difference between the farmer who is legitimately in the business of farm-

ing and the person who is holding land for speculation.

I think one of the greatest problems we had in the earlier bill was the presumption that was left in a great many people's minds that every farmer was being called a speculator. This, surely, was not the intention of the ministry. It was a matter of definition, and the approach that the minister has taken, I think, has set a reasonable period of time. The 10-year approach surely is as good a rule of thumb as we are perhaps able to develop as we look to changing taxing policies over the years.

In addition, we have a one-tenth provision dealing with investment property, provided that the owner or the spouse of the owner, during the whole of the uninterrupted 10 years, holds this property. The same rules apply when they are determining this kind of an investment, and so they should. A person should surely have the opportunity to hold property and use it as a hedge against inflation.

The 10 per cent rate is as practical a one to be dealt with here as it is in the case of the farmer. That kind of penalty that we are looking for in the application of this tax is surely not to be assessed against someone who has made some savings and decides to invest them in property, as opposed to investing them in gold or jewellery or in the securities markets of one sort or another.

The individual involvement, if this is in any way a free enterprise society, as we are told it is, should surely be to have the tax policies assessed fairly against that person's choice of investment, rather than being confiscatory in one area and without tax in another.

The rules dealing with designated land which are set out near the end of the bill determine when 50 per cent or more of the assets of a corporation are going to be involved so far as the application of this tax is concerned.

Another area that this bill deals with is, of course, the definition of farming corporation and farming assets. This, as you will recall, Mr. Speaker, gave many of us some concern when Bill 25 was brought forward ande we are pleased to see that the definitions have been, in one sense, expanded, and another tightened up, as the experience of the comments made—hopefully by members on this side of the House, as well as by farming organizations and other parties—have led the minister to make changes in the definitions.

Other than that, Mr. Speaker, I don't think there are any particular principles that we can deal with in this bill. If one—as we have done—opposed many of the areas because of their inadequacy in the second reading debate of Bill 25, now we see that at least some of the changes, set out first of all by regulation but later and more acceptably as amendments to the Act, are things which hopefully will improve the statute.

It is clear that any of these taxing statutes must be unequivocably understood by the persons who have to deal with the statute. Surely we have seen amendments like these come and go in various bills and hopefully the end result is that persons know what the rules of the game are. To have gaps in the legislation, or bad definitions, will only lead to actions in the courts, to lengthy discussions and time-consuming matters in the ministry and will not, in fact, administer the law in a clear and even-handed form.

These amendments will go some distance, at least, in improving the matters of definition and in making the application of the law somewhat better within the province. As a result, we find the changes which are proposed, at least of some improvement and will support the bill.

Mr. Speaker. The hon. member for Lakeshore

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, this is curious tax legislation, to say the least. I suspect it is the only piece of tax legislation that has ever come before this House with an intent not to tax or to diminish the tax to the lowest zero point possible. Therefore, we are not really talking about taxation at all, we are talking about a social policy; a particular intent which, using the tax device, sought to bring about other consequences with respect to land speculation. I will not, on this occasion, discuss the momentous news of the change in the tax from 50 per cent to 20 per cent because that bill resides before us and will be given due attention some time early next week, I trust.

I think the members of this House who participate in a debate of this kind should be commended, and therefore I must spend a moment or two commending myself, whoever else may speak on these matters and those who attend the committees—and they are few enough, I think the minister will agree, Mr. Speaker.

This is dogwork—hard, slugging, intricate, difficult dogwork—and those in this Legislature who find their chief gravamen in the spectacular and in the dancing phrase do not submit themselves to the undramatic and the

hard, which I consider the fundamentally meritorious work of this House.

If we over here didn't scrutinize, with the utmost care, legislation of this kind—and I groan this morning because I was up half the night working on the wretched thing—then not only would we fail somehow, but the whole of the community out there would suffer gravely in very defined ways.

It's because of the time spent in this particular regard that the issues which perhaps don't reach the public in an overall way, and are not the subject of first-page comment, nevertheless have a far more searching and deep effect upon our future in this province and upon the overall maintenance of some kind of economic and other stability than all the other foofaraw that goes on around here.

Mr. Breithaupt: It's much more fun to carry a gun.

Mr. R. F. Nixon: Yes!

Mr. Lawlor: The range of problems introduced by legislation of this kind, which is novel and testing a whole new area of law, is simply horrendous.

Yesterday, Mr. Speaker, a certain Chris Miller, a very astute lawyer indeed, appeared before the law committee downstairs and indicated a range of five or six problems which were undreamed of by the minister, by his horde of officials, by everybody who has fed stuff into us, by Anson-Cartwright and by any number of others. It was stuff that we hadn't thought about at all, even in a simple way with respect to rollover provisions touching principal and subsidiary corporations being identical and 100 per cent owned. There is no provision that the tax doesn't apply in that situation, and there seems to be good sense that it should.

Then he got on to things that I'd never heard of before, such as constrained share provisions largely contained in federal legislation, particularly in the Banking Act, with respect to corporations located in Canada but widely held throughout the world by way of shareholdings, etc., where by a policy of the directors, a small shift in the shareholdings by way of marketing or expansion could shift the balance to the 50 per cent landholding corporation so that it becomes taxable and the full taxation situation would fall on the minority shareholders and others. It was thought it would be necessary at some point to get into something very sophisticated indeed to place some kind of restriction upon the transfer of shares through the instrumentalities of management or even a block of shareholders, so that they would not be able—without consultation with the other shareholders at least—to turn over these shares to the detriment of the majority of the shareholders involved and maybe even stupidly not realizing the impact of this legislation upon a small shift of say two per cent or even less of the corporate holdings in this particular regard.

That kind of problem really boggles the mind; it really takes time to work out. We are up against the same sort of thing here, because they are parallel types of legislation in many ways with the land speculation tax today. That very same problem seems to me equally applicable in this legislation and ought to be mused over and taken account of before we reach committee and see whether or not there are any solutions immediately available so that the legislation may be further amended in order to provide for these contingencies, as they can be, again, terribly serious in the business community and for those who deal in corporate shares that are widely held at all.

The only other general comment on this legislation I have, Mr. Speaker, is that it's sure a marvellous piece of legislation from the point of view of keeping the legal profession on hot coals. I have never seen anything like it.

I think a good deal of the resentment that lies with the legislation is that the old habits of thought have to be remoulded, and it's a terribly painful process. But apart from that, the legislation itself is so convoluted as to require a lawyer to be Philadelphian-bred.

You just simply have to be at the top of the profession, Mr. Speaker, in order to be able to read the legislation at all and construe it. I suppose that this particular piece of legislation and amendments as they go through will bring about a new wave of hearings with the law society, where 2,000 of them come down from all parts of the province on a single hearing in order to clue themselves in as to what this thing is all about.

This piece of legislation this morning is a fairly profound reworking of the old bill. It's altering a great many things, particularly in the valuational sections where the whole notions of valuations, the basis on which they are made, the acquisition cost principle, and the fair market value principle more importantly, are worked into and given greater definition than it had previously. It was as loose as gravy on all previous occasions. We got that in the area with respect

to trust on leases with farms; various workings of the maintenance principle, maintenance costs worked into the basic valuational picture.

A second principle of the improvement costs was given cognizance and more closely defined; finally, the theory of disposition costs was recognized for the first time and brought in and given a role in the thing. So there's a whole set of costs that have to be added—and in certain cases can't be added—but in the bulk of cases can be.

All this nice thinning out and refinement can't be done on second reading. This precisely is the detailed dogwork of a committee to straighten it out and keep it clear.

As the hon. member for Kitchener mentioned, the lease period has now been extended. It started off at 10 years. I believe the bill expands the definition of a lease—in any case, all it derives therefrom assignments of leases or anything that can be construed as a lease. Previously the tax would fall after 10 years. Then it went to 30 years by directional order. Then, subsequently, again by ministerial order—or maybe it was Lieutenant Governor in Council, who knows?—it went to 50 years; and now the 50-year provision is embodied in the legislation. I don't take any great issue with that particular feature of the legislation. It's by and large beneficial.

The provision has been made for new ratios. If the ratio of ownership in a corporation remains the same, even if new shares are picked up or the corporation structure expanded, the mere fact that there is a transfer of shares involved doesn't attract the basic tax.

The ministry has made provision in both this legislation and the previous bill with respect to the non-consummation of a transaction. If a deal don't go through, there ain't no tax paid. The minister didn't have that previously, and I am sure it worked a considerable amount of hardship upon those whose contracts were highly conditional, who, in order to have their documents accepted and a lien lifted, or certificate given, were obliged to make a deposit of moneys, bonds, or whatever type of security was involved, in order to bring their transaction about. That money is now returnable.

I am indeed pleased that the minister has apparently disregarded in toto the recommendations of his own ad hoc committee with respect to the business of the Crown corporations and ancillary same-type corporations — conservation authorities, Hydro and what not—to leave them outside the legislation, so that land conveyed into their hands, either by way of expropriation or by sale, will be lands free of the tax.

The animus of the ad hoc committee was that this was a notorious breach upon the free enterprise principle, that it gave a leg up to the public interest as being more persuasive of people selling their land to the public realm rather than to the private. They had to pay a tax perhaps, touching the private area, whereas that tax did not apply when the same property was sold into the public realm.

Lord knows, as many pieces of legislation going through this House have proved, the minister needs a much more determinative role with respect to land holdings. In order to preserve the fruitlands, in order to preserve agriculture, in order to preserve receational land, in order to designate lands which ought to be in industry precisely in industry and not in something else, and in order to utilize that power extensively or at all, he must have a flexible role to play with many instruments at his disposal, and this is a prime instrument to that particular intent. Please don't alter it. Don't be persuaded by that obscurantist and throwback mentality which I see in those particular nostrums that were given to the minister by that committee.

There are two areas in which the legislation may be quite questionable. Touching farms and farmers, the minister has made a flip, a 360-deg turn—no, I'm sorry, 180-deg turn; he is just at the opposite end at the moment. Previously the theory was that all farmers, bless their hearts, were speculators in potentia. That was the basic position of both this party and the Liberal Party in the earlier bill.

Now, it seems to me, the minister in his legislation has reversed that. He says that no farmers, under any possible circumstances apparently, can be speculators. I think that that's an equally questionable proposition. Men do remain in marginal farming, or in farming at all, on the outskirts of our great cities, surrounding them in a wide orbit, sitting there, in effect, waiting for the escalation of land values and being the beneficiaries of those values, and I don't think the minister catches them and I don't think this legislation does a thing.

As a matter of fact, with this new rule with respect to the 10-year business—that the 10 years may be dated back as well as forward from the April 9 date—the minister seems to have carved a loophole as wide as the largest tunnel at General Motors into the centre of the legislation.

That's one thing I'm not going to take that much exception to. I would expect that if the farmer turned over his land at a very great profit over its true evaluation of, say, three, four, five years ago, brought about by a municipality placing services five miles south of its location, and it continues to escalate in this regard, in any event, the man who buys that land is either going to have to be a developer or prepared to subdivide and give it off to smaller builders.

If he is a speculator then I suppose that's where the minister thinks the axe will fall; at that particular point in speculation where the man simply buys it up and tries to turn it over without adding any improvements. Well, I suspect it could begin at a somewhat earlier point in time. But, as I say, I shan't flagellate the minister on that one.

A more serious one has to do with the investment property concept, that is, apartment houses basically. I don't know what pressures were brought to bear on the minister in this particular regard. Previously they were obliged to hold their properties for three years, up until 1977. He has wiped that out. Not only has he wiped that out, he has permitted them to go back again. If the property has been held by a spouse, or with themselves as the owner along with a spouse, or by spouse only over a period of 10 years, back or forward, the situation is that they are free.

Some of the major speculation in this province has taken place with respect to such buildings. That has been a notorious form of ripoff, rake-off, exploitation. Every lawyer knows that it was the sweetest deal in the world to buy an apartment house. You bought it for $300,000 and in three years you could be sure of $450,000, Mr. Speaker. What do you think my friends do? Why do you think they are so affluent these days?

And what on earth does the minister do? Is he playing into their hands? Doesn't he realize what happens? The fact of that type of valuation will rub off on to every other thing. If that is going to be permitted to balloon and continue to skyrocket, because it is simply a question of holding, then it is going to have an effect upon every other form of dwelling. I think the minister should have kept the lid on there. What he has done is simply opened the thing. I find it most disturbing that he emasculates his own legislation in this particular way. He saw the virtue in it previously. Now under pressure from, I suppose, the great consortium of urban apartment houseowners—and they are a powerful bunch—he has knuckled under and thrown in the sponge on this particular one.

Those are the major things. On the other hand, I would like to bring to the minister's attention a number of thoughts from other sources and with respect to people who have submitted. I think the minister is only too well aware of and appreciates deeply the work of Arnold Englander, a lawyer, who has written extensively. I have before me 46 pages of a speech he made or some submission he made. He also headed up the minister's ad hoc committee, did he not? Oh, no, that was Anson-Cartwright. Englander says:

> Consideration should as well be given to the provision of an exemption for the situation where land and buildings in an urban renewal area are sold, after having been occupied for a number of years by the owner thereof for industrial-commercial purposes. At the time of the sale the buildings have very little value relative to the land value, and the business is being carried on on land too expensive for its purposes. [That's the whole point in the urban renewal concept.] The sale may result at considerably less than 40 per cent of the proceeds being attributable to the building. The spec tax would reduce the owner's ability to purchase new premises in a more outlying area, because he would be hit with the full impact of the tax and would have less money with which to buy a substitute dwelling or a substitute property.

I think the minister knows well that Englander has said about this. It is just that for some reason or other he hasn't got around to or seen fit to embody it in the legislation before us. I know in one area of my own riding where we are going forward with an urban renewal scheme that that can have quite an impact and I trust wouldn't in any way halt or obtrude upon the scheme itself.

I won't go into it at length on this second reading of a matter of considerable principle but of considerable complexity, too. The minister knows the difficulties with respect to roll over provisions touching corporations and with respect to that whole field. There is the position of the minority shareholder. The minister and I once had a quarrel about minority shareholders. The minister didn't think very much of protecting their interests on that particular occasion. I hope his sensitivity as a minister has widened his scope, that what Englander has to say about defending their interests has hit home and that

the minister's legislation will take that into account.

He mentions a number of possible loopholes, as he calls them.

> Subclause (d)(vi) operates only where there is a shift of stock of 50 per cent of the voting power as opposed to 50 per cent of the equity stock. The sole shareholder of a corporation owning 100 common shares could convert the same to non-voting shares and concurrently issue to himself redeemable voting preference shares.

His point being that if the common shares are no longer voting shares then the minister's definition as to the type of corporation caught in his legislation would not apply. It's a simple device for slipping out.

> Upon the sale of the common shares to a purchaser [he sells the shares not the land,] the section would not operate. Subsequent to the sale, the common shares can be made voting shares again and the redeemable preference shares removed.

He's got the land, he's picked up the assets and off he toodles like the Pied Piper of old. Has the minister taken that type of thing into advisement? This legislation doesn't yet make provision for that sort of manipulation which can easily defeat what the minister wants to do.

He mentions another loophole:

> A 50 per cent asset test is easy to avoid. [This is commented upon in the advisory committee report.] Assets in the form can be injected into the corporation and set off by a corresponding bank loan in order to reduce the designated land below 50 per cent of fair market value of all the assets of the corporation. Again, it is my view that neither section 1(3) nor section 6 will operate to prevent this.

Then he gets into the business of chain corporations and tier corporations. It is extremely interesting.

> Because of the absence of a rollover exemption equivalent to the section 85 exemption contained in the Income Tax Act, this loophole could not be availed of unless the shareholdings of April 9 were set up in the foregoing manner: That is, a transfer of shares as between corporation A and corporation B would not result in the imposition of any tax because of the fact that corporation A did not own designated land and, accordingly, it did not satisfy the 50 per cent asset test.

Those are three areas that he has set forth in which the legislation is apparently defective, and I wonder what the minister's thinking is on that particular area of defectiveness in his legislation.

Then he says:

> The chief criticism levelled with respect to the concept of imposing the tax on the corporation where 50 per cent voting control is transferred is that the minority shareholder who does not sell his shares concurrently with the 50 per cent voting shareholder is financially hurt by reason of the actions of the 50 per centers. If the corporation pays any taxes thereupon to that extent, it has its financial position reduced and, concomitantly, the minority shareholders' investment is reduced proportionately.

There are new provisions in this legislation alleviating the situation touching subdividers. I will not say much about it, but the minister is trying to make a more determinate time as to when the release certificates will be available and, internally in his department, he is trying to improve the speed and efficiency of his staff—and I think his staff are working very well in this matter, despite what we heard yesterday—to alleviate what could be fairly devastating situations for individual people involved in transfers of property.

Just to return for a moment to the farming concept, I take it that the minister takes seriously the defect in that area of the legislation. It is mentioned by Ronald M. Anson-Cartwright, the chairman of the minister's committee. On page 20 of his report he says: "Similarly, the definition of farming corporation"—all right, we will go back a little. He says:

> The Ministry of Revenue bulletins relating to the farming provisions of the Land Speculation Tax Act indicate that the definition of farming includes the situation where, if the transferor is not engaged in farming the land concerned, he is deemed to be carrying on farming on the designated land if he is assuming the risk of the profit or loss from the farming of the land.
>
> Similarly, the definition of farming corporation is expanded to include the situation where the land was farmed by one or more of the persons holding voting shares of the corporation, or if the corporation is assuming the risk of profit and loss from the farming of the land.
>
> Accordingly, it is possible for the hobby farmer, or what I call the Bay St. farmer,

> to obtain the special farm exemption provided the land is not merely leased to a farm operator, and he has entered into some arrangement, such as sharecropping, with respect to the operations of the farm, whereby he assumes the risk.

I trust that the minister agrees with Anson-Cartwright on his interpretation of the legislation in this regard. If so, what on earth does he propose to do about it?

I am certain we had some legislation before us a few days ago deliberately on the definition of farming and agriculture, cutting out the horse-breeding fraternity. I am sure this legislation is not so restrictive in terms of its definition. In any event, the Bay St. hobby farmer can be the beneficiary on that.

What a sweet way to get around this thing. Taking tax benefits from the federal government by way of income tax is what hobby farming is all about; and then he escapes the full impact of this legislation. Surely the minister must do something about that; and do something rather quickly about it, as things stand.

We do still find the legislation unpalatable; a hodge-podge. It is a real mess. Trying to scan it, trying to parse it, trying to make sense out of it, is one of the world's most difficult tasks.

It's not made deliberately so; it's the way the cookies tend to crumble around here. It's what the minister has got himself into. He has become, during the period of his baptism of fire in the House, a rather smiling, benign figure. No blows any longer hurt him; even the pin-pricks of destiny don't seem to penetrate his epidermis. There he sits, both here and in committee, quite pleased that he has been able just to weather the storm; not to come up with anything shining; just to survive.

As the accumulated ills and the ramifications and implications of his legislation become more apparent, he will have cause to tread water more and more. He might—I trust he doesn't—he might even drown.

Mr. Speaker: Does any other hon. member wish to take part in this debate? The hon. minister.

Hon. Mr. Meen: Thank you, Mr. Speaker. I might say at the outset that after listening to the hon. members opposite, I have decided —although there probably is time—that it probably would be a waste of the time of the House to go through what I had prepared as a fairly lengthy speech. There are some 11 pages in all, dealing with the principles of this bill. However, in large measure, the hon. members opposite have dealt with those principles, and by and large have supported them. I am very pleased to hear this. As I indicated at the outset, I was pleased indeed to get on with second reading of this bill.

What have we had now—six months, really, of operational time since the bill was introduced? Certainly over that period of time we have had many opportunities to study the way in which the bill was working. For that matter, as I have been the first to admit candidly, it was not working in some areas. So we've had that period of time to study the mechanism of the bill, to work out the kinks and the weaknesses that showed up, and to identify the loopholes.

One of the weaknesses in the administration of the bill was, of course, that I couldn't immediately put in place a mechanism for lien clearance certificates. We have been able to do that beginning in September, and I believe it to be fully effective today in the registry offices across Ontario where attendance is required for the purpose of providing clearance certificates.

So I hope and believe that a vast majority of the mechanical problems faced by the practitioners who had to interpret this immensely complex legislation would be alleviated and that they would be able to get their clearance certificates.

The proposals in the bill dealing with affidavits, which the hon. members will have noticed, of course, do not wipe out the liability for a tax if a liability exists, but certainly with the attachment of the affidavit to the deed, then my staff in the registry offices or in the 31 assessment offices around the province can very swiftly issue clearance certificates.

I might mention that there have been many submissions to this ministry over the last few months. The Canadian Bar Association, through the ad hoc committee to which the hon. member for Lakeshore has made reference, chaired by Ronald M. Anson-Cartwright, undertook a mammoth task and did a very fine job of assessing the Act and giving me input from the various sectors of the community as to the way in which it was performing.

Certainly, as I have indicated before, I was prepared to accept and implement as swiftly as possible some of the recommendations which they made. Others we have had to ruminate on for a period of time, and on them we have still not acted. In still other cases—for example, with respect to conservation authorities and Hydro and general public

agencies generally—we have not accepted their recommendation and I do not propose to accept that recommendation.

I have gone to some length to express my view that whether we do or don't is of no dollar figure in the end result to the party concerned. But I think it makes it very clear in incorporating these provisions in the Act, both as to conveyances to agencies of the Crown and conveyances by agencies of the Crown, that there is no intention by us that the parties concerned would pay a tax.

Mr. Lawlor: Three years ago the minister would have accepted that. That just shows the maturing effect of this Legislature.

Hon. Mr. Meen: Perhaps, Mr. Speaker, that philosophy may well apply to all of us, even the hon. member opposite for Lakeshore.

Mr. Lawlor: I would say—

Mr. Speaker: Order, please.

Mr. Lawlor: —quietly to the minister that if his colleagues only knew what was in the legislation they would disagree with him.

Mr. Speaker: Order, please. May we return to the principle of the bill?

Mr. Lawlor: Don't let them know; keep them in the dark.

Hon. Mr. Meen: I might just mention, Mr. Speaker, after this quiet little exchange, that my colleagues are fully conversant with the contents of this bill.

I do intend also to refer this bill to the standing committee on administration of justice, despite all the submissions that have been made, all the hearings that the ad hoc committee had held, and the various studies that the Canadian Bar Association had made, many of which as I have indicated, we have adopted, and certainly many of which we have dealt with one way and another in determining whether we would accept them or not. We introduced Bill 125 on Oct. 25.

I can tell the members that we have had the benefit of the legal expertise from such people as Arnold Englander and the Canadian Tax Foundation, and we have learned that some of the problems which we sought to overcome we have done so, perhaps, but we may well have created potentially some other minor problems. So I would like the bill, in due course, to go to the standing committee on administration of justice for a number of refinements which I would like to introduce at that time. But it just goes to show, as the hon. member for Lakeshore has indicated, that this is an immensely complex bill. It just goes to show how we can continue to identify problems which none of us anticipated. We went through—what was it?—six weeks I suppose of debate last spring, some pretty clever minds being brought to bear on the problems that we anticipated or that they anticipated would occur. But none of us anticipated some of the problems that eventually arose and that we hope to remedy, and believe will remedy by this amending Act and by the amendments, the refinements that I could introduce next week.

The hon. member for Lakeshore also mentioned the case put to us so articulately yesterday by W. O. C. Miller, QC, with respect to the Land Transfer Tax Act and the constrained share principle. It strikes me that that problem which he identified, and which appears to us to be a matter which would perhaps be dealt with better under the Business Corporations Act, might well apply also to the Land Speculation Tax Act, just as the member for Lakeshore has suggested.

I'll take a look at that and determine if that is the case, in any event, as I mentioned at the committee on Tuesday. I will be in touch with my colleague, the Minister of Consumer and Commercial Relations (Mr. Clement), to outline this matter to him and see whether it's appropriate that some step might be taken under his legislation or whether it would be appropriate at some time in the future to incorporate some sort of provision either into the Land Transfer Tax Act and the Land Speculation Tax Act if appropriate, or whether it would be better under his legislation.

Arnold Englander's paper is an interesting one. Unfortunately I was not able to get to the Canadian Tax Foundation conference when that paper was delivered. I didn't hear his part of it in any event, in full, where he outlined the problems which the member for Lakeshore has recited in part from the printed form of that paper. But we are certainly going to be looking at that and determining whether there is some way in which that sort of problem—the building used for 30 or 40 years, where over that period of time it has depreciated and no longer represents 40 per cent of the value of the real estate—can be overcome. That is certainly a problem. I would point out that there is discretion in the legislation to amend, waive or vary the amount of tax that might be provided, and I would expect that whether we do that by general regulation or by special regulation we would be able to take care of that sort of problem.

One will recall that during the original debate on Bill 25 the member for Sandwich-Riverside (Mr. Burr) drew to my attention, and the attention of the House, Mr. Speaker, the problem of renovations and the case where it might be unduly expensive to incorporate 20 per cent of renovation costs in such a project in order to escape the land speculation tax. Well, one of the provisions in the amending Bill 125 will provide authority to set up a form of regulation which will allow a tapering effect, perhaps on the basic notch principle of say a range between 10 and 20 per cent of improvement. At 20 per cent there would be no tax payable. At 10 per cent the full extent of any land speculation tax would be payable and within that range between 10 and 20 per cent there would be an abatement of that tax.

That's the kind of thing I have in mind for the renovation provisions. With respect to the 40 per cent provision, we might very well have a regulation on a similar principle running between 20 per cent and 40 per cent with a scaling up from, say, full at 20 per cent to zero at 40 per cent and, in that event, overcome this sort of problem which Mr. Englander has identified.

These will have to be things we would work out. It may well be that that schedule isn't as equally applicable in Sandwich-Riverside as in Metropolitan Toronto, or perhaps more accurately the converse of that, that it may be completely applicable and appropriate in Sandwich-Riverside but not necessarily to the same extent appropriate in a burgeoning municipality in Metropolitan Toronto. We have to look at some of these things, too, and over the months ahead we will be able to direct our attention to them with the authority provided by Bill 125.

I will just conclude these remarks, Mr. Speaker, by concurring with the member for Lakeshore that this kind of legislation seems unduly complex. It is terribly complex. It's a shame, in a sense, that a piece of legislation of this sort has to deal with an area of the business community that isn't ordinarily involved in taxing legislation. Yet I suppose it's a fact of life that this approach to resolving a sociological programme—and dealing with money of course—carries with it all the complexities of any other taxing statute whether it be a corporation, income tax or personal income tax statute.

I have said on a number of occasions that I would dearly love to have this legislation much simplified but I really don't see any way to simplify it, Mr. Speaker, without creating loopholes so wide you could drive four Mack trucks abreast through them. It is not our intention to oversimplify in the interests of simplification and understanding because that will only create more problems. What we are trying to do is issue interpretative bulletins in any areas where practitioners in the field, be they accountants, be they actuaries, be they lawyers or whatever, come to us and say: "Look, maybe the section says that but I wish you would tell it to me in simpler terms."

We are doing our best to get out interpretative bulletins to clarify these various areas. As the professions become more experienced and more accustomed to working within this legislation and to understanding its principles, I think we will have fewer and fewer problems. Indeed, the various things that have come about over the last few months to ease the procedure, I think are working toward this at this very time. I am looking forward when the bill goes to standing committee to hearing again from the public sector with any thoughts they may have on the amendments, because I know that they will endeavour to make it even more appropriate.

Mr. Lawlor: What does the minister say about investment property and what I had to say about that? It's a question of principle.

Hon. Mr. Meen: Yes, Mr. Speaker, I think that we have tackled the investment property problem in a sensible sort of way. If you look at the farming community, I think everyone agrees with the fact that if a farm has been held for 10 years, whether that 10-year period begins at April 9 or whenever it's acquired after April 9 or whether it has been held for five or, say 10 years prior to today, that really indicates that the person holding it is not holding it for the purpose of speculation. The member for Kitchener touched on this point and I think it's appropriate. If we accept that principle in the farming community, it seems to me it's just as valid a principle to be applied in the investment community. I suppose it's possible to argue that—

Mr. Lawlor: But dating it back is the thing that irritates me.

Hon. Mr. Meen: Dating it back is exactly the point. If we date it back for the farming community we say: "All right, you have held the property for 10 years. You have held it in your family for 15 or 20 years. We then are prepared to say for the purpose of determining the amount of tax payable we will

take a look at the length of time you have held it, whether it goes back before April 9 or not."

Mr. Lawlor: But if you want to keep it in farming—

Hon. Mr. Meen: The same principle is just as appropriate in the investment community and that is the reason for extending it into the investment community.

Mr. Lawlor: It is not only a breach of the legislation. It is a breach of faith.

Hon. Mr. Meen: I must say that I felt that the people in the investment community who held for a three-year period without any abatement had a valid point when they argued that we were unduly penalizing them and not allowing them any kind of abatement, where in any other part of, say, the farming community, land was kept in farming, there was no similar three-year holding period. That did seem to work an injustice. And potentially, if it works an injustice and tends to inhibit the market in rental accommodation, that inherently and inevitably would work an increase in rentals and nobody would want to see that either.

So it was for these various reasons that I felt, and my colleagues agreed, that we should treat the investment community as closely as that, at any rate, to the way in which we have treated the farming community in endeavouring to identify who is the speculator and who is not.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand the minister is referring it to the standing committee?

Hon. Mr. Meen: Yes, justice.

Mr. Speaker: Justice.

Agreed.

Clerk of the House: The second order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker. This is the second episode in a continuing saga. I want to talk a little bit more today about a few other matters that are of concern to me, with regard to the policies in general. I suppose they're related in some obscure way to the budgetary policies of the government, since most everything is.

I suppose by way of an explanation, I had intended to speak about an entirely different matter, but I haven't really had the time to prepare it, so I plan to do that sometime next week as I continue this discussion with you, sir, about the budgetary policies of the government.

I want to deal with two or three matters that are of purely local interest, since I think that they probably should be dealt with and there ought to be some discussion about them in the Legislature, and perhaps out of what I might say the ministries responsible might find ways to resolve some difficulties that some people in the Hamilton-Wentworth region are finding to be of concern to them.

You will recall I'm sure, Mr. Speaker, that a number of years ago I spoke about the area known as Cootes Paradise in the Hamilton area. It's a conservation area basically, at the west end of the city. It provides, I think, one of the most beautiful entrances to any municipality that I've visited, and I've visited quite a few. The trip into Hamilton on Highway 403, when it comes to the marsh area, is certainly a very pleasant trip and provides for a great many people long hours of quiet enjoyment away from the hustle and the bustle of everyday life. I've been concerned for some considerable time about the lack of concern that's been shown both provincially and, I think to some extent, municipally until very lately, about the future of that particular area.

The Hamilton region is very fortunate. Because of the geography of the area we are able to enjoy a number of very worthwhile, almost back-to-nature type areas, and this is one of them. I always felt that it was an area that should be a priority preservation matter, that the government should be extremely concerned about the future of it, the quality of the land and the environment and the water in that area, and that we should do almost anything that's within our power to ensure that it's never destroyed, that it's kept for future generations.

It's the kind of place where, on a hot summer day, you can take your kids, Mr. Speaker. They can wander, they can fish, they can play a little ball, they can hike some if they want, and you don't have to worry about them very much. It is a pleasant kind of an atmosphere in which to raise young children. We take full advantage of it as a family. I wouldn't like to see anything happen to it that might deprive, not only

them—because they grow up and move on—but future generations, of the opportunity to take advantage and to make full use of it.

I suggested that perhaps we should establish in our overall plan for the development of the area the priority that that particular marsh area—that open water area, and all of the ground surrounding it—should be preserved. I was a bit distressed to read recently of the intentions of one of the local municipalities to continue to pour a larger degree of effluent—albeit considerably improved over what they are now pouring into the area—into that particular section of the bay area.

I understand the need to develop new sewage treatment plants, and I understand the desire of Dundas to grow, to provide its citizens with the kind of sewage treatment and sewage facilities that are absolutely necessary for it to be up to standard, if nothing else, to provide a reasonable standard of living for the people who choose to live there. I am not quarrelling with them for having decided that it would be in their best interests to further enlarge the sewage treatment plant. I am concerned, though, that the effluent from the enlarged sewage treatment plant will be permitted to go into the Cootes Paradise area. Albeit that it will be cleaner than the stuff that is currently going in, there will be so much more of it. In fact, over the course of a number of years the amount of effluent and the damage that would be done by the effluent would no doubt at least measure up to the damage that is being done by the effluent presently going into it.

There are alternatives. They are not cheap. In fact, they are costly. But the fact that they are costly is only one consideration. It is a consideration—albeit important to people paying taxes—that we have got to weigh up very carefully. It is the kind of cost that you have to weigh up over and against the long-term value of maintaining or developing a clean area for recreation purposes.

As municipalities grow—as Hamilton grows in the future; as Dundas grows in the future; as Ancaster continues to grow; as the entire regional municipality grows, Burlington included—there is no question at all that there will be considerable additional pressure added to the need for recreational facilities. The Cootes Paradise area, together with many of the other areas, is going to be used to a far greater extent than they have been used in the past. There is going to be a great deal more pressure put on the very valuable and unique areas which are suitable for passive recreational purposes.

It is fine to talk about building ball diamonds at corners or making sure the children have access to playing fields, and we have to do that. But for the majority of people who will be moving into the area, who will be growing up in the area between now and 10 or 15, or perhaps 25 years from now, passive recreation within easy access will be something that will become more and more of a requirement. If we are not extremely careful today; if we are not almost to the point of being rigid about ensuring the preservation of the areas which have the greatest potential, then in 25 or 30 years we will look back and, much to our chagrin, say that there were errors made by governments of the 1970s which have deprived citizens of the 1990s of the access that they require.

This isn't a question of whether we need it for development. We don't. It isn't a question of whether we can, in fact, provide alternatives, because we can't. It's a question now of whether we're prepared to pay the cost and I think we have to. That's the conclusion the government has to come to. Just as we're prepared to pay the cost to clean up other areas and just as we're prepared to pay additional costs to transport people, we have to be prepared to pay the additional cost to ensure that passive recreational areas are maintained, generally speaking, in their traditional form in order to ensure that over the course of time as generations evolve they will have access to them.

It's frankly unique. It's as unique, in fact, as the Red Hill Creek area is in the east end of the city of Hamilton. We're very, very fortunate in having it. But the good fortune which we have will only be with us for as long as we're prepared to take strong measures to preserve it.

What I'm really saying to the government is this. It is far too valuable a resource, far too valuable in potential. It's need, though great today, will be considerably greater as years go by. If we have to pay a little more over the course of a number of years in order to preserve it, then let's pay a little more. Let's provide the pipeline, if that has to be provided, to take the effluent that presently goes in and the effluent which will, no doubt, be dumped into the area in the next 10 or 15 years. Let's take it away from there altogether. Let's guarantee the preservation of this area so that in the future my children and their children and yours, Mr. Speaker, if they want to visit the area—grandchildren or whatever—will be able to come there, a very short distance from where they live and visit

and walk and enjoy some of the finer things of passive recreation.

While I'm talking about that I want to talk about another area too, because I think it's also vitally important. It's very easy when one is looking for places to run highways to look to all the open space, but for anyone who is familiar with the Hamilton area would appreciate, I'm sure, that in the east end of the city we have what is perhaps unique in major municipalities. We have, again, an almost wilderness type of area that is used for hiking, for nature walking, for children learning about nature itself and for recreation, though perhaps not of the organized but of the unorganized type. Discussion is currently going on about the possibility or the likelihood—maybe even the advisability—of running a major highway through the heart of it.

The area from St. Catharines to Toronto, from Hamilton to Nanticoke, will over the course between now and the year 2000, double, triple and quadruple perhaps in the numbers of people who are going to live there. The pressure on open land and the pressure on suitable recreational land will become immense. It will be almost unbearable.

There will be tremendous pressure put on by developers. There will be tremendous pressure which will evolve naturally because of the growth of the area itself. It is not difficult to identify the areas which should be preserved. It may well be for pure economic purposes, both in terms of industrial economics and in terms of provincial economics and the provision of funds for the development of roads, that it would be more desirable to run a highway down through this natural ravine. But you've got to stop and ask yourself, Mr. Speaker, whether or not in the interests of the guaranteeing of adequate recreational facilities, the preservation of those things which are worth preserving, it might not be cheaper in the long run to go a little further and to try to avoid damaging, and perhaps destroying for all time an area that is a natural beauty and an area which can be, in addition to the one I have mentioned before, a great source of enjoyment and relaxation for people upon whom tremendous pressures will be exerted just simply to provide for themselves and their families a reasonable level of existence.

It can be a place they can go to where they can walk; a place they can go to within a five-minute drive of their home; a place they can go to where they can get away from the noise of transportation, away from the pressure of business, away from the tremendous impact on humanity of the sort of economic pressures that are being exerted day by day as a result of things like inflation and job types and the way in which industry works.

I am persuaded that we should look seriously at providing an alternative to using what may well be, in the first instance and in the first glance, the most satisfactory, most sensible, shortest and cheapest way. Quite often in the long run the cheapest way turns out to be the most expensive.

I'm appealing to the government, I suppose, not to play games. I understand that the Minister of Transportation and Communications (Mr. Rhodes) has been in Hamilton. He has spoken to the local region; he has talked to them quite seriously about the need to have such an access route from his Nanticoke-to-Hamilton-corridor study area down into the industrial sector of the city of Hamilton. It is short-sighted to recommend the destruction of that ravine; it is short-sighted to think that we need have the shortest distance between two points as the only way to moving vehicles and materials.

Let me give you some alternative Mr. Speaker, to it if I can, I am absolutely convinced that what we need in Hamilton, by way of transportation, is a loop running around the southern end of the city, connecting up to Highway 403 on the west, connecting up to the Queen Elizabeth Way on the east, with an entirely new access route to be developed. It should perhaps be a sub-grade route in order to remove or to diminish the destructive effect on the environment, but it shouldn't use existing highways or rights of way. The reason it shouldn't is because the tendency then becomes to purchase homes to widen highways, and, in the main, most of the existing roads and highways are built up to a great extent. The cost of acquiring property which has been developed is obviously considerably more than the cost of acquiring property which at this point is still in its raw state.

I am urging the government to give serious consideration to a study which will locate a suitable area of open land where a new highway, controlled-access in nature, will link the Queen Elizabeth Way to Highway 403, provide a route around the city for those who don't wish to go through the city, and thereby relieve the congestion within the city itself. It would provide within reasonably easy access, though perhaps a drive of a little distance, a route for industrial and commercial traffic which must go from the downtown eastern industrial sector out on to the

mountain in order to gain a direct route to the Nanticoke development that is taking place.

I think if that were looked at, we would find that the cost of doing that likely wouldn't exceed the cost of acquiring property on existing highways. While the distance may be a little further in miles, the speed at which the traffic could travel would be considerably greater and therefore people would be able to make the trip in a shorter period of time. It would relieve a great deal of the congestion which currently exists and which will no doubt continue to grow, both within the Hamilton core itself and also within many of the areas that immediately surround the city of Hamilton. If that were done, if that proposal were to be accepted—and I will go into the details of it at some other point—I can pinpoint areas worth looking at—then the whole Nanticoke to Hamilton transportation utility corridor could easily be located.

I want to say, as a warning, that of the four proposals that have been put before us in Hamilton, of the four proposals put before us by the study group under the Ministry of Transportation and Communications, there is not one that would fit the bill; not at the Hamilton end. It may well be that at the Nanticoke end and all the way through Haldimand county or Haldimand region it is satisfactory. But once we enter the Hamilton-Wentworth region, the proposals don't take into account a number of factors.

The western proposal suggests that it would tie in with Highway 403. There are two major flaws in that proposal; one is that it is not suitable for utility purposes. The utility pipelines, hydro lines, Bell telephone lines, couldn't possibly follow Highway 403. In addition to that, there is no ready access, nor is there any likelihood of a way of developing a ready access, from Highway 403 to the easterly industrial area.

It would require one of three things. It would require either that the transportation, the commercial and industrial transports, would have to go across the Hamilton Skyway bridge, or Burlington Skyway if you prefer, Mr. Speaker, and in at the east end of the city. Anyone who travels that route knows full well that that bridge is already taxed almost to capacity and additional traffic on it would be impossible to countenance. It would require, as an alternative, that the traffic travel down Main St. or Burlington St. or Barton St. within the city of Hamilton, and anyone who travels in Hamilton knows that those roads are no longer suitable to carry additional traffic, particularly during the rush-hour periods, which seem in these days to be becoming rather extended. Or it would be necessary to build an entirely new road linking Highway 403 with the east-end industrial complexes; the Steel Co., Dofasco and all of the others that are there.

So I think it is evident to anyone who looks at it that that route is not satisfactory. The next route travelling east from Highway 403, it is suggested, might tie in either with James St., Highway 6 or with Wentworth St. I hasten to tell the members that neither Wentworth St. nor James St. could handle the traffic. There is no reasonable, sensible, economic way of providing a sufficient width of highway to carry the traffic. In addition to that, it would still require that the downtown core be inundated with transportation, quite unnecessarily, and I suspect and suggest that that route is not suitable.

The next route that was suggested travels down to the Red Hill Creek area that I was speaking about, the ravine area, and relies to a great extent on the development of a highway through the ravine. For reasons that I have just mentioned, I think that that really would be foolhardy. It would be destructive in the long term, costly—though not as costly as others—in the short term, but over the long period of time, looking ahead through one or more generations, would be regretted by any who made the decision.

The final route that they have suggested is to utilize the existing Highway 20. Now, I don't know if you have ever travelled on Highway 20, Mr. Speaker, but I am going to tell you, and I make the statement categorically, that it is absolutely impossible to consider taking the volume of traffic that they predict down the existing Highway 20. The intersection of Highway 20 and King St. is the most dangerous intersection in this part of Ontario. Members will recall the hill. Traffic coming down that hill has to go through the busiest intersection in the area. We have had numerous accidents there, some of them costing lives and all of them costing considerably in property losses. I want to suggest that that particular proposal be discarded now so that we can talk about sensible things.

I want to suggest that we sit with the city of Hamilton and the region and that we attempt to iron out what was once a very sensible proposal, that of developing something called the Limeridge Rd, No. 53 freeway, which would be developed laterally east and west across the city of Hamilton, somewhat south of Limeridge Rd. We should dis-

cuss whether that is a sensible proposal, given the growth that has taken place in the city in the last five or six years, and whether it might not make more sense to sit down with Ontario Hydro to discuss with them the possibility of expanding their rights of way, which are considerably south of the city at that point, and developing an east-west corridor for transportation and utilities. It would be more easily developed, it would be less disruptive, it would provide a much better access all the way around. To take it beyond that, it could extend past the Home Ownership Made Easy programme on Saltfleet Mountain so that the whole development, which will house some 80,000 people over the course of 10 years, would then be served by that corridor route running around the outside for access to the lower mountain and to west of Hamilton. It would also tie in with all of the existing routes that run down the mountain and would not be, in my opinion, as disruptive as the suggestions that have been made.

Mr. Speaker, I do want to continue talking, but I know that you are eager to have an adjournment at this point, so I would move the adjournment of the debate.

Mr. Deans moves the adjournment of the debate.

Motion agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, so we have the numbers on the record I would like to say that beginning Monday we will deal with the following items of business. I'll just give the item and the bill number: Item 14, Bill 162; item 18, Bill 166; item 19, Bill 167; item 15, Bill 163; item 17, Bill 165; item 20, Bill 168; item 21, Bill 169; item 22, Bill 170; item 16, Bill 164; and item 13, Bill 161. Somewhere in the early days of the week we will call item 3, Bill 143, which we will be dealing with in committee; and I suggest we will probably start with bills standing in the name of the Solicitor General (Mr. Kerr).

Mr. Deans: I wonder if I might ask the minister before he moves the adjournment motion, if it would be possible to give us some idea on Monday morning, or on Monday before the House sits, of the order in which the bills for Tuesday and Wednesday might be dealt with.

Hon. Mr. Winkler: I think that will be so; it is difficult to say at this point because some of the ministers are not available to me. Probably, as I suggested, they won't be in the exact order I have called them because, as the member knows, there is a conference of finance ministers in Ottawa Monday and Tuesday, and there will be other people there with the Treasurer; and the cabinet will be visiting Ottawa on Wednesday. But I think I would be able to do that on Monday afternoon.

Mr. Deans: Just one final point then. If he could tell us which ministers definitely wouldn't be available then perhaps we could be ready for the ones that we think could be. Thank you.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

MONDAY, DECEMBER 9, 1974

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Statements by the ministry.

HEARINGS ON NATURAL GAS

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, the National Energy Board announced, I think in the spring of the year, that it would be holding hearings on natural gas supply, demand and deliverability, and received submissions up to Sept. 1. Those hearings began last month in Calgary, moved to Winnipeg, and they have been in Toronto last week and this week.

The Province of Ontario is appearing today and I would simply like to table the remarks which I made at the appropriate place this morning at the hearings.

CSAO NEGOTIATIONS

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I regret to report a further, and in my view, totally unnecessary delay in the very critical negotiations for employees in the operational services category.

Based on the press reports which came out of the weekend meeting of the CSAO, the government expected, and I'm sure all the people who read those reports expected, that the CSAO was finally going to start bargaining in good faith, and that we would, at the very least, have had some concrete response to our offer of settlement.

Instead, Mr. Speaker, the only response of the CSAO at the bargaining table this morning was to advise our negotiators that they would not have their response ready until Friday, Dec. 13. In other words, Mr. Speaker, we will find ourselves only two weeks away from the CSAO's illegal strike deadline before the CSAO even moves off its original demand of 61.5 per cent.

Some of the members opposite, who profess to know something about collective bargaining, have accused the government of promoting confrontation by its bargaining tactics. Well, if they need any more convincing after this most recent tactic of the CSAO—and, Mr. Speaker, I'm sure some of them will, even now—perhaps a review of the important dates in these negotiations will help them to decide who is looking for a confrontation and who is bargaining in bad faith.

Mr. R. F. Nixon (Leader of the Opposition). What is being achieved through this?

Mr. D. C. MacDonald (York South): The minister is a provocateur.

Hon. Mr. Winkler: Let the hon. member wait until I'm finished and then he can make up his own mind.

Mr. S. Lewis (Scarborough West): The minister knows he is going to get a good counter-offer on Friday.

Hon. Mr. Winkler: On Monday, Sept. 23, 1974, the headline in the Toronto Star announced that the CSAO would be demanding a 61.5 per cent pay increase for the operational services category. Complete details of their demands were in the accompanying article.

On Friday, Sept. 27, the CSAO's demands arrived by registered mail in the office of the director of staff relations—

Mr. J. E. Stokes (Thunder Bay): I don't think the minister wants a settlement.

Mr. MacDonald: Of course he doesn't.

Hon. Mr. Winkler: In other words, the government received the official demands of the CSAO four days after we read about them in the press.

On Oct. 10, the parties met to explore and clarify the CSAO's demands with respect to changes in the classification structure.

On Oct. 23, the government tabled its opening offer for the first year of a two-year agreement, with increases ranging from 10 per cent to 16 per cent. The offer for the second year was not tabled at that time.

The third meeting was held on Nov. 7 and 8, but there was no movement by the CSAO off their 61.5 per cent position. Instead, they advised the government's negotiators that they

had decided to conduct a vote among the membership on the government's opening offer.

During the course of these discussions the government's negotiators rounded out the government's offer by proposing a change in the classification structure and adding a second-year increase of eight per cent.

Mr. Lewis: Why is the minister doing this?

Hon. A. Grossman (Provincial Secretary for Resources Development): Because the hon. member keeps arguing that he is not being informed.

Mr. Lewis: What is he talking about? We're over-informed.

Hon. Mr. Winkler: It is difficult to understand why the CSAO had to wait two weeks to tell the government they were going to the membership with the opening offer.

The vote, of course, resulted in a further two-week delay in the negotiations.

The CSAO were not ready to meet again until Dec. 2 and 3, and even then they were not prepared to modify their 61.5 per cent demand. Instead, they repeatedly asked the government to table an offer that they could recommend to their membership.

Mr. Lewis: Why is the minister doing this?

Hon. Mr. Winkler: In view of the repeated refusal to bargain, the government's negotiators had no alternative but to table their full mandate in an effort to reach agreement. This was done on Dec. 3.

In other words, Mr. Speaker, the CSAO had our opening offer on wages as early as Oct. 23, our complete opening offer on Nov. 8, and a full month later they have not seen fit to modify their opening demand of 61.5 per cent.

It should be quite obvious to anyone who wants to understand, that the strategy of the CSAO has been to use any device or excuse to delay the negotiations, in order to bring the province closer to their illegal strike deadline.

Mr. Stokes: Boy, is he ever a babe in the woods!

Hon. Mr. Winkler: It may suit the purpose of some members opposite to ignore the stalling tactics of the CSAO—

Mr. Lewis: Is the government this desperate for an election issue? Is this the nadir of the Tory party?

Mr. Speaker: Order, please.

Hon. Mr. Winkler: —but I think it is high time they started to live up to their responsibilities as elected members of this Legislature and to use their influence on the party that is looking for a confrontation, instead of seeking some short term political advantage—

Mr. T. P. Reid (Rainy River): This is another example of the minister's incompetence.

Mr. Speaker: Order, please.

Hon. Mr. Winkler: —by improperly criticizing the bargaining posture of the government.

Mr. Speaker: Oral questions.

The Leader of the Opposition.

CSAO NEGOTIATIONS

Mr. R. F. Nixon: Mr. Speaker, since the Premier has joined us and must have been aware of the statement just made by the Chairman of Management Board, can he indicate what the policy of the government would be that would lead to a statement such as the one we have just heard, being made on behalf of the government at this time? What can possibly be achieved, particularly when we read the responses from the CSAO bargaining people and see that their views for careful consideration of the government's alternative seem to be very thoughtful and useful indeed?

Hon. W. G. Davis (Premier): I think that question should be properly addressed to the Chairman of Management Board.

Hon. Mr. Winkler: Mr. Speaker, I would be delighted to answer it, and I tell you, as I tell the Leader of the Opposition, that we are absolutely sincere in our desire to maintain the services for the people of this province through the civil service, for whom we have a very high regard.

In regard to the statement included in the question of the Leader of the Opposition, I want him to know that despite what he has read in the press, and I have read, too, that has not transpired at the bargaining table.

Mr. R. F. Nixon: A supplementary to the Premier, with your permission, Mr. Speaker: Would it not surely be better to await the decision—or the counter offer, if such it is—than to make a statement in the House once again that these people are not bargaining in good faith? What can this possibly achieve other than to exacerbate the whole situation?

Hon. Mr. Davis: If that supplementary is directed to me, the statement that I heard

does not, and should not, make the situation more difficult.

Some hon. members: Oh, oh!

Hon. Mr. Davis: Well, just a minute, Mr. Speaker. Some of the people opposite have been critical of the government and the way we have been negotiating but we have been endeavouring to do it in good faith. The opposition have been making statements that I think are totally irresponsible.

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. R. F. Nixon: I don't think the Premier is fit to carry on. He is on his way out.

Hon. Mr. Davis: Mr. Speaker, I think it is incumbent on all of us to see that the negotiations move ahead and move ahead with some speed. We are now faced with a meeting on Friday rather than this morning to discuss the government's offer, and I suggest, with respect, Mr. Speaker—

Mr. Lewis: They have to clear it with their leadership. That takes some time, with the government's last-minute offers.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, we are quite prepared to be reasonable in these processes, but I would say that it is one thing for the Leader of the Opposition to make an observation or a supplementary question like he did; it is another thing to make some of the observations he has made outside the House, as they relate to this matter.

Mr. R. F. Nixon: Like what?

Hon. Mr. Davis: Oh, come on! He said we are dragging our feet.

Mr. Speaker: Order, please.

Mr. R. F. Nixon: What is achieved by a statement such as we were given today? What possibly can be achieved except further acrimony?

Mr. Speaker: Does the member for Scarborough West have a supplementary?

Mr. Lewis: Yes, I have a supplementary—to the Premier, I guess. Since Jake Norman, who is carrying on negotiations for the civil service, has indicated first that he considers the government's second offer a significant offer, second, that he wants to be conciliatory and bring it to a conclusion, and third, that there will be a counter offer this Friday, why is it necessary for the Chairman of Management Board to continue to conduct these negotiations in public? Wouldn't it be better at this point to work it out with them at the bargaining table?

Hon. Mr. Davis: Mr. Speaker, with great respect, the Chairman of Management Board is not conducting the negotiations in public. He is informing the hon. members, because we have been asked, and there have been statements made as to the government dragging its feet and not being prepared to negotiate—

Mr. Lewis: The government is afraid it is going to get a settlement—that's what it is afraid of.

Hon. Mr. Winkler: We are not.

Hon. Mr. Davis: —and this sets out in a very clear, chronological order the history of events. There is no debate in this statement that has ben made as to the merits or otherwise—

Mr. Lewis: Read the opening sentence.

Hon. Mr. Davis: —of the offer. That has been negotiated and would be negotiated in private—or whatever terminology the hon. member wishes to use—in the traditional sense, and we are prepared to do this.

Mr. Lewis: The government can have a settlement if it negotiates in good faith.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, we have not, as a government, negotiated other than in good faith and in the traditional bargaining technique. This is not negotiation; this is a statement of the facts.

Mr. V. M. Singer (Downsview): Mr. Speaker, a question of the Chairman of Management Board. How much labour bargaining has he really done that he isn't aware of the fact that tough negotiations almost invariably drag on to the last minute, and what real purpose did he serve by complaining about another possible four-day delay other than to really aggravate an already difficult situation?

Hon. Mr. Winkler: The questions keep coming from the other side of the floor all the time. In any event, I will stand here and say to the hon. member that every opportunity has been given to the leadership of the CSAO to bargain with us in good faith. They have not seen fit to budge one inch from their original demand.

Mr. Singer: Oh, nonsense!

Mr. Lewis: Not at all.

Hon. Mr. Davis: So the members are in support of their demands. Why don't they say so?

Mr. J. A. Renwick (Riverdale): The minister means to say the government is not bargaining in public.

Mr. Lewis: We will say that 61.5 per cent is absurd.

Mr. Speaker: Order, please. The Leader of the Opposition has the floor.

Mr. R. F. Nixon: We are in favour of fair negotiations, and the government has never undertaken them yet.

Mr. Speaker: Order, please.

DAY NURSERIES ACT REGULATIONS

Mr. R. F. Nixon: I want to put a question to the Minister of Community and Social Services.

Interjections by hon. members.

Mr. Speaker: Order, please. The Leader of the Opposition is trying to place a question.

Mr. R. F. Nixon: Yes, Mr. Speaker, I have a question of the Minister of Community and Social Services. Has he received a report from the financial officer of the day nurseries branch on the current and projected budget for capital and operating expenses under the proposed daycare regulations, which indicates quite clearly that the projections of the new policy enunciated by the minister's colleague some months ago are not going to have the improvement on the budgetary situation that was expected?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, would the hon. member repeat the question?

Mr. Lewis: This is confidential.

Mr. R. F. Nixon: Yes, this is a report from the financial officer of the day nurseries branch on the current and projected budget for capital and operating expenses. Has he received such a report recently?

Hon. Mr. Brunelle: There are periodic reports made to me, Mr. Speaker. Offhand, we have so far approved about 80 daycare centres under this new programme. In dollars, I believe it is somewhere around maybe $10 million or $11 million.

Mr. R. F. Nixon: As a supplementary, can the minister indicate, then, that all the reports that have come to him from the day nurseries branch are being made available to the daycare advisory committee? Are they kept fully informed as to the financial ramifications of the policy as it now is and as it will be?

Hon. Mr. Brunelle: To my knowledge, Mr. Speaker, the advisory council on day care is being kept fully informed.

Mr. R. F. Nixon: Except for the basic report that the policy secretary has refused to make public. Is that the only exception? That is, the so-called cabinet document. Is that the only exception?

An hon. member: Don't just sit there.

Hon. Mr. Brunelle: I think that has been mentioned several times. That document has been referred to as an internal document.

Mr. Singer: Not to mention any of the other undisclosed documents.

Mr. Speaker: Are there any further questions?

Mr. Lewis: A supplementary: Is it right to say that the position taken by the Provincial Secretary for Social Development (Mrs. Birch) is in yet further retreat, because not only will the advisory council pronounce on the original statement but the report will be made public before any of the regulations are gazetted?

Hon. Mr. Brunelle: Mr. Speaker, I mentioned this several times. The advisory council had been given all the discretion possible to provide us with the best regulations possible. We have told them that we would make available to them information, research and, as far as I know, the advisory council is very happy with the co-operation it has received from our ministry.

Mr. MacDonald: All within the framework of the original misconceived policy.

Mr. Speaker: Are there any further questions?

LICENSING OF LANDFILL SITES

Mr. R. F. Nixon: Yes. I would like to put a question to the Minister of the Environment. Is he aware that the application by Southwold township on behalf of Mr. McCaig in the St. Thomas area to open up a new dump in that area has been turned down on hearing by the Ontario Municipal Board? Can

he explain to the House why his ministry gave a certificate of approval to the original application since it did not fit in with the terms of the official plan and has now been turned down by the Municipal Board? Can he inform us as to whether he expects a cabinet appeal to the decision of the Municipal Board, particularly since the person who has been forwarding this programme, Mr. McCaig, is the campaign manager for the Minister of Natural Resources (Mr. Bernier)?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I don't know a Mr. McCaig personally.

Mr. R. F. Nixon: The minister's buddy does.

Hon. W. Newman: I beg the member's pardon?

Mr. R. F. Nixon: The minister's colleague does.

Hon. W. Newman: The Leader of the Opposition always tries to tie in political implications to everything and it's time he realized that we're not given just kind of political matters to administer.

Interjections by hon. members.

Mr. Speaker: Order, please, order. The Minister of the Environment has the floor to answer a question.

Hon. W. Newman: Does the member want to listen to the answer to his question or not? Or does he want to make political hay out of a situation? Is that all he wants to do?

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. R. F. Nixon: How did he get the certificate of approval?

Mr. Speaker: Order, please. Now, could we have an answer?

Mr. Lewis: That is not a very nice thing to say. That doesn't happen in this Legislature. It is a debating forum.

Hon. W. Newman: I would like to answer this question. If the member had been in the House last week, I believe I explained that the purpose of the Ministry of the Environment is to take any application for a sanitary landfill site anywhere in this province. It's our job, as a ministry and it's my job as the minister to make sure that those sites are satisfactory from a sanitary landfill point of view, to make sure we don't have any leachate problems or run-off problems, and that these sites can contain the garbage for a period of years without any problems to the environment or to the subsoil. That is our job.

We're not worrying about the official plans. I don't know whether there will be an appeal from the OMB or not. My job is to make sure of any site, and if our approvals people approved of a site then I'm convinced that that site is satisfactory as a sanitary landfill site from an environmental point of view.

Mr. R. F. Nixon: Supplementary: Since it was turned down by the Municipal Board on the specific instance that it was going to be put on good farmland and was therefore directly contrary to the official plan, why wouldn't that be of some concern to the Ministry of the Environment? Isn't the Minister of the Environment concerned that good farmland not be torn up and filled with garbage?

Hon. W. Newman: Mr. Speaker, I am very much concerned about good farmland and the Leader of the Opposition knows that.

Mr. R. F. Nixon: But the minister has approved it already; he has approved it.

Hon. W. Newman: Mr. Speaker, as far as the Ministry of the Environment is concerned, on any application for a sanitary landfill site, if you want to make an application for your farm, we'll tell you whether it is satisfactory for that sort of purpose or not.

Mr. Singer: Whether it is good farmland or not.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: If you will permit a further supplementary: Why is it that the application that came from Mr. McCaig received that certificate of approval without any problem at all, but at least down in Hope township the minister is going through the procedures that give the local people an opportunity to express their objections? Certainly in Hope township I would say the minister is going to have sense enough not to approve it.

Mr. Speaker: Order please.

Hon. W. Newman: As I said before, on any sanitary landfill site—and I assume there was an application for that one down there; I assume there was a hearing on it—but I can assure the member that before any certificate of approval is issued by our ministry, we have to be satisfied that the site in any application is environmentally sound. We wouldn't issue a certificate unless it was just that.

Mr. Speaker: Any further questions? The Leader of the Opposition.

EXPROPRIATION REPORT

Mr. R. F. Nixon: I would like to ask the Attorney General if he has received the study on expropriation that was commissioned by his ministry of the firm of Weir and Foulds? If so will he make the study public?

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, yes, and I hope to table the report later on this week.

Mr. Speaker: The hon. member for Scarborough West.

LICENSING OF LANDFILL SITES

Mr. Lewis: Mr. Speaker, a question of the Minister of the Environment: McCaig's application wasn't forwarded by a lawyer from London or St. Thomas who is a federal Liberal candidate, was it? Just out of curiosity. Maybe he could let us know.

Hon. W. Newman: Mr. Speaker, whoever forwards the application is not my concern. I couldn't tell the member that.

Mr. Speaker: Is that of urgent public importance?

Mr. Lewis: The minister doesn't look at the politics? Good. I wouldn't want him to use it as a political forum.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Harold Stafford.

Hon. W. A. Stewart (Minister of Agriculture and Food): Harold Stafford, isn't that interesting?

Mr. R. F. Nixon: He is saving good farmland.

Mr. Lewis: Who, Harold Stafford? Who is the member kidding?

Mr. R. F. Nixon: He supports the farmer at every opportunity.

Mr. Speaker: Order please. The member for Scarborough West.

Mr. R. F. Nixon: Where does the member for Scarborough West stand on that particular issue?

Mr. Lewis: On the side of the angels.

SEAFARERS' INTERNATIONAL UNION

Mr. Lewis: May I ask of the Solicitor General, in regard to his reported request to the federal government for a royal commission inquiry into the activities of the SIU, would it be possible for him to indicate to the Legislature specifically on what grounds he is making the request, and what documentation he is including in his submission? Indeed, could he table the submission on which he is basing the request?

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, there is some, shall we say, exaggeration to the story that appeared in this morning's Sun.

Mr. MacDonald: The Solicitor General hasn't been misquoted? has he?

Mr. J. R. Breithaupt (Kitchener): Misquoted again.

Mr. Lewis: In the Star, too.

Hon. Mr. Kerr: We are not demanding a probe. There is no application to the federal government for a probe. What I said to the reporter actually was said last Tuesday evening and has been said over and over again in this House in reply to questions of the hon. members.

Really, the only new information that I gave that reporter was the fact that we had received correspondence on Friday from the federal Ministry of Justice requesting our reasons for a federal investigation or a federal inquiry and why we felt that the police forces under the Criminal Code could not in fact conduct any necessary inquiry or investigation. I had indicated to that reporter that we would be replying to the Ministry of Justice this week.

Really, as far as new information is concerned I believe what the hon. member for High Park has indicated in his remarks in this House and the information that the police have, all of which is available to the federal officials, is really the information in toto.

Mr. M. Shulman (High Park): Supplementary, Mr. Speaker.

Mr. Lewis: Supplementary!

Hon. Mr. Grossman: Let the member for High Park take his hand out of his pocket.

Mr. Breithaupt: The minister is just going to send him a copy of Hansard, that's all.

Mr. Lewis: I choose to interpret that as a defensive action.

Hon. Mr. Rhodes: Turn around and watch him.

Mr. Lewis: No, I've looked at the galleries carefully.

Interjections by hon. members.

Mr. Lewis: May I ask the Solicitor General, since he has now indicated publicly himself that the inquiry makes good sense, can he in fact table the document, the letter on whatever it is that he sent to the federal Minister of Justice or Mr. Allmand, so that we can see the formal basis on which he seeks it?

Hon. Mr. Kerr: Mr. Speaker, that will be a letter to the Minister of Justice. I believe the letter actually will be going from my deputy minister to his deputy minister. Whether or not it should be tabled, I suppose, should to some extent depend on his opinion in that regard. But I have no objections to tabling that letter after it has been received by Mr. Lang.

Mr. Lewis: Thanks.

Mr. Shulman: Supplementary: In view of the fact that the SIU this morning subpoenaed the head of Metro intelligence to appear in court tomorrow morning, will the minister have his legal talent appear there to make sure the efforts of the police are not frustrated by the SIU?

Mr. Speaker: That is quite removed from the original question about a letter.

Any further questions? The hon. member for Scarborough West.

HOUSING STARTS

Mr. Lewis: Yes, a question of the Minister of Housing: Has he noticed that the Ontario housing start figures released this past weekend show a decline over the similar month, October 1973, of 40.5 per cent; that the starts per month are declining in percentage terms ever more dramatically; and that we will not now even make 90,000 starts this year? Can he indicate how all of that fits in with the ever-greater projections and the ever-decreasing production?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I am aware of the report to which the hon. member is referring. However, I am not prepared to admit at this time that we will not meet our objective of around 90,000 units.

Mr. MacDonald: There are only three weeks until the end of the year.

Hon. Mr. Irvine: It depends, as I said before, on the full co-operation of the federal government with ourselves, and area municipalities and the regional municipalities and the private sector.

Mr. R. F. Nixon: Is there no responsibility with this ministry?

Hon. Mr. Irvine: I think we have shown our desire to have housing by the amount of money which we have appropriated. Time will tell whether we can make it or not.

Mr. R. F. Nixon: Would the minister care to compare that with the amount appropriated by the federal government?

Hon. Mr. Davis: Is the Leader of the Opposition still seeking credit for that?

Mr. R. F. Nixon: I would say it is 10 to one at least.

Mr. Lewis: By way of supplementary: Since the ministry is now heading for a production target decline over last year of between 22,000 and 25,000 units and its production targets for next year are not up to last year's, where is it going to make up the difference? Where will some provincial initiative be shown?

Hon. Mr. Irvine: Mr. Speaker, I didn't say that next year's target would be lower than this year's. Somebody else said so.

Mr. Lewis: Well it looks as though it is; even on the fiscal year it is lower.

Hon. Mr. Irvine: It certainly didn't come from the Minister of Housing. What we are saying is that we are paying very close attention to actual housing starts and are well aware that we need more housing starts. We are going to try to achieve that.

Mr. M. Cassidy (Ottawa Centre): Supplementary, Mr. Speaker: Since at the time the ministry was formed just over a year ago we were given to understand by the ministry that housing starts this year would be at least equal to last year's, can the minister in future label his projections and his targets so that we know what they were, rather than constantly revising them downwards?

Hon. Mr. Irvine: Mr. Speaker, I think one has to be realistic as to what is happening in housing throughout all of Canada, throughout the United States, throughout Great Britain and any country one wishes to relate

it to. In most cases the housing starts are down because of lack of mortgage funds or the lack of a lowering in the interest rates.

Mr. R. F. Ruston (Essex-Kent): And lack of serviced lots.

Hon. Mr. Irvine: I say, and I have said before, it's very imperative that the federal government provide funds at a lesser rate of interest.

Mr. Speaker: We will interrupt the question period for just a moment and recognize the member for Yorkview.

Mr. F. Young (Yorkview): Thank you very much, Mr. Speaker, for interrupting this very friendly interchange so that I may introduce students from two schools who are here today. One is St. Roch's Separate School from Yorkview with 60 students and their teachers. If members would welcome them I would be delighted.

The second school is the Downsview secondary school—

Mr. Singer: Downsview!

Mr. Young: We have had—

Hon. Mr. Grossman: Are the two members still at it?

Mr. Young: Still at it!

This is the final delegation from Grade 10 of Downsview Collegiate for this particular period of time. The school is located in the riding of the hon. member for Downsview.

Hon. Mr. Stewart: But he didn't know about it.

Mr. Lewis: That is why the member's days are numbered.

Mr. Young: A good many of the students come from Yorkview, so there is a co-operative measure. I welcome them on behalf of Yorkview; and I am sure the member for Downsview would like to add his word too.

Mr. Singer: Mr. Speaker, together with the member for Yorkview, we welcome the fifth large group of Grade 10 students from Downsview Collegiate. I think we have had over 300 students from Downsview Collegiate visit us over the last week or 10 days; and again I would ask the House to join me in welcoming them.

Mr. Speaker: Now the Minister of Housing has the answer to a question which is—

Mr. Lewis: I have a question of the Minister of Labour?

Mr. Speaker: Sorry, was the hon. member not finished? I am sorry.

BIG BROTHERS OF METRO TORONTO

Mr. Lewis: To the Minister of Labour: Can he tell me, is there no way of salvaging the very unhappy situation with Big Brothers by his personally meeting with the board and explaining to them that signing two memorandums of agreement—or memoranda of agreement, is that all right? Okay—two memoranda of agreement and then discarding both is not bargaining in good faith, and they would be wise to review their procedures.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I would like to do whatever is possible. I have been in close contact with the matter involving Big Brothers. I know that some of the members of the opposition have been doing their best to help the situation, as have people from both labour and management who are not directly involved. They have gotten themselves involved—I say not directly involved, meaning they have not been parties to it—and on all sides they have been doing their best to have the matter resolved.

I have spoken to both labour and management representatives who are concerned and I will be pleased to make one more personal intervention to see if anything can be done. It's an unhappy situation as members know.

Mr. Lewis: Supplementary: Is it not beyond "unhappy" but almost indefensible, that three additional social workers should be hired by the Big Brother organization, at a total outlay of some additional $34,200 next year, when the total amount of money in dispute with their existing social workers is some $3,500? Surely it is possible for the ministry to intervene in a way which would bring about a settlement in this issue rather than having Big Brothers withdraw from the United Way or persist in the other confrontations that have occurred.

Hon. Mr. MacBeth: Mr. Speaker, I don't want to get involved with the issues—

Mr. Lewis: That's the problem.

Hon. Mr. MacBeth: —but I'll try to be a "big father" to them and see what I can do.

Mr. Lewis: Good; no further questions.

Mr. Speaker: The Minister of Housing has the answer to a question.

OHC BRIBE CHARGES

Hon. Mr. Irvine: Mr. Speaker, on Dec. 2 the member for Downsview asked me:

> Can the Minister of Housing advise us if as a result of the police investigation into middle management of the Ontario Housing Corp., which he will recall came about because of the remarks made by Mr. Scheffer to Judge Waisberg at the commission investigating violence in the building industry, whether or not he is aware that several contractors submitted invoices to Ontario Housing for work that was not done and submitted invoices for more work than in fact they did, and that some of these invoices were even paid?

Mr. Speaker, I want to inform the hon. member that to my knowledge there was no such instance of incorrect billings.

Mr. Singer: Mr. Speaker, by way of supplementary, I wonder if the minister could go back to his advisers and ascertain whether or not any refunds were received by Ontario Housing relating to certain floor tiling contracts, interior decorating contracts and painting contracts; what the amounts of those refunds were; and how in fact it came about that there were refunds made?

Hon. Mr. Irvine: Yes, Mr. Speaker, I will.

Mr. Speaker: The member for Carleton East.

Mr. P. Taylor (Carleton East): Mr. Speaker, a question of the Minister of Education, who has, I guess, just disappeared.

An hon. member: No he hasn't; there he is.

Mr. P. Taylor: Ah, there he is.

An hon. member: He has to get into his right seat.

OHC LAND PURCHASES IN OTTAWA AREA

Mr. P. Taylor: In connection with the questions posed on Thursday by my colleague, the member for Ottawa East (Mr. Roy), with respect to the clearly stated situation in which a builder and developer sat as a member of the property committee of a school board, has the minister issued guidelines to school boards to avoid such obvious conflicts of interest; and if not, why not?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I don't recall any question in that vein from the member for Ottawa East to me last week. He must have asked someone else.

I think, as my friend knows, there are very clear conflict of interest guidelines laid down in the Municipal Election Act, which apply to all elected officials at the local level.

Mr. P. Taylor: Supplementary. Will the minister then look into the case raised last Thursday by the member for Ottawa East in which he indicated that a builder in Ottawa was a member of a property committee on an Ottawa school board; and will he act on that case?

Hon. Mr. Wells: Mr. Speaker, I will be glad to find out something about it. I won't say to my friend what can be done about it until I find out what the situation is.

Mr. Speaker: The member for Sandwich-Riverside.

ENVIRONMENTAL IMPACT LEGISLATION

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, a question for the Minister of the Environment regarding the long-predicted and long-awaited environmental impact assessment legislation: The question is: When?

Hon. W. Newman: Mr. Speaker, this is a very complicated piece of legislation. It has taken a great deal of time to prepare. We have had input from many groups, not only to the green paper but by other groups directed to the legislation itself. At this point in time the legislation is being worked on by the legal staff. I did say I would introduce it earlier; and I would now hope that I would be able to introduce it early in the next session and allow proper time for discussion with the various groups involved, although I have met with most of the groups at this point in time to discuss their particular problems.

Mr. Speaker: The member for Rainy River.

VILLAGE SQUARE HOUSING PROJECTS

Mr. Reid: Mr. Speaker, I have a question for the Minister of Government Services: Is he aware of the situation of Village Square? I believe it is now in receivership. It was doing work for the Ontario Housing Corp.; and the fact is that many people in the Wabigoon, Dinorwic, Dryden and Kenora area are stuck with bills because of the insolvency of this company. Are these people entitled to

compensation under the Public Works Creditors Payment Act?

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, I am not familiar with the—

Mr. Reid: Has he heard of the Act?

Hon. Mr. Snow: I am not familiar with the particular instance the member refers to at all. I am sure if the company was doing work for the Ministry of Housing, then the question should be referred there.

Mr. Reid: Supplementary: Does the Public Works Creditors Payment Act not come under this ministry?

Hon. Mr. Snow: No, Mr. Speaker, it doesn't.

Mr. Speaker: The member for Wentworth.

H.O.M.E. PROGRAMME LOTTERIES

Mr. I. Deans (Wentworth): Mr. Speaker, I have a question for the Minister of Housing: Given the wide-ranging comments and suggestions made by a number of people who were involved in the recently conducted HOME lottery, and given the time that's elapsed between that and this date; can the minister indicate whether, before the next lottery is held in the Hamilton area, there will be substantial changes to the method of conducting the lottery and to the terms of the lottery as it might be conducted then for the number of homes available?

Hon. Mr. Irvine: Mr. Speaker, as I have indicated to the hon. member before, I am investigating the situation. I am going to determine if we can improve the present system of allocation of housing through the lottery system. I am not sure yet whether a standing committee is the way to handle this or not; but I will inform the member as soon as possible.

Mr. Deans: May I ask a supplementary question: When is it the intention of the ministry to hold the lottery for the so-called Saltfleet satellite city development; and will we have some changes to the lottery system prior to that lottery being held?

Hon. Mr. Irvine: Mr. Speaker, I think I indicated that I am not sure yet whether there will be any changes. I have not determined whether or not there should be. When we have determined this matter, I will certainly relate fully to the member what we will be doing and why we should improve on the system.

Mr. Speaker: The member for Windsor-Walkerville.

CHLORINATED WATER

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Health: Is the minister aware of the findings of the environmental protection agency in the United States that indicates that in the chlorination of municipal water supplies, the chlorine apparently interacts with industrial and agricultural wastes to produce certain chemical compounds that have been shown to cause cancer? Will the minister assure the House that his officials, either directly or indirectly, regularly monitor municipal drinking water supplies and that they are safe?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, we have been aware for some time of the tests the member is referring to and we understand that even in the United States the agency has not deemed it an immediate problem to health from the drinking of water, particularly that of the Mississippi River I believe it is.

Mr. R. Haggerty (Welland South): Even Lake Erie.

Hon. Mr. Miller: Even Lake Erie? I believe they were mainly concerned with chlorinated hydrocarbons, not only chlorine in drinking water. But yes, our ministry is concerned and is watching that problem. I understand that the actual testing of such water supplies, or the assurance that they are of potable, safe levels, is up to the medical officers of health of any given area.

Mr. Speaker: The hon. member for York South.

CANADIAN KODAK DISPUTE

Mr. MacDonald: A question of the Minister of Labour: In the new chapter in negotiations between Kodak and its employees which has developed following the rejection of the offer last week, can the minister indicate when his ministry or his officials will be moving into the picture; whether they have, and if not when will they?

Hon. Mr. MacBeth: Mr. Speaker, I don't believe we have been back in the picture since the offer was placed before the union, without recommendation as I understand it,

and the membership rejected the company offer. We're keeping on top of it and are ready to go back in as soon as both sides feel we can help them in reaching a settlement.

Mr. Speaker: The hon. member for Welland South.

DENTURE THERAPISTS

Mr. Haggerty: Mr. Speaker, I would like to direct a question to the Minister of Health. Can the Minister of Health indicate to the House when the Denture Therapists Act will be proclaimed?

Hon. Mr. Miller: Mr. Speaker, my understanding is that it can be proclaimed very soon. The reasons for its lack of proclamation have been entirely legal, as I am sure the member may know, in that a number of the denturists who tried the examinations did not succeed. They then lodged requests for review of their examinations, and it was deemed for a while that they had to be passed under the existing legislation. The latest advice I have had is that they have now had that chance and that we will be able to proclaim the legislation very shortly.

Mr. Haggerty: In 1974?

Hon. Mr. Miller: It's very possible.

Mr. Speaker: The hon. member for Thunder Bay.

HOUSING IN ARMSTRONG

Mr. Stokes: Yes, I have a question of the Minister of Housing. Since the Ministry of Housing cancelled the construction of 12 homes in Armstrong with the announced closure of the radar base, and since at the present time there seems to be a surplus of homes of those people who have been forced to move out, will the ministry undertake to acquire those homes so that they could be made available to others in the community who are inadequately housed at the present time, so that we might make use of those accommodations at much, much less the cost of brand new housing?

Hon. Mr. Irvine: Mr. Speaker, I'll be glad to look into that situation and report to the hon. member.

Mr. Speaker: The hon. member for Carleton East.

FOOD SERVICE PROJECT FOR OTTAWA HOSPITALS

Mr. P. Taylor: Mr. Speaker, a question of the Minister of Health: Can the minister say whether or not there is a pilot project that he has approved for the Ottawa area, in which most meals prepared for consumption in hospitals will be prepared centrally and frozen and then delivered to the hospitals through some sort of distribution system? And if so, when will this project begin?

Hon. Mr. Miller: Mr. Speaker, I can't say that the meals are being frozen for distribution. I can safely say that the first major decision of the health planning council of the Ottawa-Carleton region was that there should be centralized food preparation facilities. There had been studies for a number of years, but it had been difficult to get the hospitals to agree on it. The health planning council did look at the issue, made the recommendation, it was accepted by us and I understand the steps are being taken now. There will be a saving of a very great number of dollars per year in the food preparation costs in the Ottawa area.

Mr. P. Taylor: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary, yes.

Mr. P. Taylor: Can the minister say whether or not individual hospitals will have the option to opt out of such schemes if it is considered in their interest to do so?

Hon. Mr. Miller: I suspect they will not.

Mr. Speaker: The hon. member for High Park.

LIQUOR LICENCE ACT

Mr. Shulman: A question of the Minister of Consumer and Commercial Relations, Mr. Speaker: I wonder if the minister recalls the wonderful new Liquor Licence Act that he promised in August of 1973 would be here in October of 1973; in November he promised it would be here in March of 1974; in April he promised it would be here in October of 1974. Can the minister promise when we'll be having the wonderful new Liquor Licence Act?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): I'm glad the hon. member takes such a positive view. I share it with him, Mr. Speaker, and I think that he can look forward to seeing it introduced in this House in the next few days.

Mr. Speaker: The hon. member for Essex-Kent.

DIESEL FUEL TAX

Mr. Ruston: Mr. Speaker, I have a question of the Minister of Revenue. Is the Minister of Revenue taking any steps to collect large overdue accounts in the diesel fuel tax refunds that haven't been paid?

Hon. A. K. Meen (Minister of Revenue): Mr. Speaker, that question was asked of me by the member some while ago, and I believe at that time I indicated to him that yes, we are taking certain measures to seek recovery of those moneys. Audits are conducted and there are remedies available under the Act.

Mr. Speaker: The member for Ottawa Centre.

CARLETON UNIVERSITY

Mr. Cassidy: Mr. Speaker, a question of the Minister of Industry and Tourism. Since the minister didn't accept the invitation given to him last week, can he say publicly in the House whether he favours the survival of St. Patrick's College or whether he goes along with government policy to close St. Patrick's College as a result of the new financial guidelines laid down for universities by the government?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, I have had the opportunity on two occasions in the last week or so, to speak with the president of Carleton University and with the chairman of finance as well.

Mr. Lewis: No kidding!

Hon. Mr. Bennett: I made my position abundantly clear to them, which they fully accept, that it is an internal administrative problem and that's where it should stay and where it should rest.

The government has been told—and the member knows from his days on municipal council, as well as I do—that they want a body run by a group of people in that community and with no interference by the provincial government, other than supplying the funds to run the university. It is implied by others that they would like the government, when the decisions are tough, to come and interfere; but when everything is going favourably, it should be left with the board of governors.

The governors themselves are now fully aware of the fact and will make a firm decision this Wednesday as to exactly what the position will be of St. Patrick's College as it is related to Carleton University; and I stand with the Minister of Colleges and Universities (Mr. Auld) in saying it is an internal matter and will be decided by that board of governors.

Mr. Cassidy: A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary.

Mr. Cassidy: Thank you. Since Carleton University is in the minister's riding, and since it has the lowest per student operating income of any established university in the province, does he favour any change in the basic income unit system in order to help universities like Carleton which have a problem resulting from a large number of arts students?

Mr. Speaker: That is an entirely different question.

Mr. Cassidy: No, it is related, Mr. Speaker.

Mr. Speaker: The member for Rainy River.

VILLAGE SQUARE HOUSING PROJECT

Mr. Reid: Mr. Speaker, I wonder if I could redirect my question to the Minister of Housing, who I understand has the responsibility under the Public Works Creditors Payment Act, and ask him if he is aware of the Village Square situation and if these people will, in fact, receive reimbursement; and if so to whom should they write?

Hon. Mr. Irvine: Mr. Speaker, I am aware of the situation, having been in Dryden, Hudson and Sioux Lookout about two weeks ago, at which time it was brought to my attention there was a problem in Hudson itself.

We are investigating the legal aspects of what obligation OHC has in regard to the wages to be paid, and I will have a full report in the very near future. I can't tell the hon. member today what we are responsible for, but I will get that information for him.

Mr. Reid: They only have 90 days.

Hon. Mr. Irvine: I realize that.

Mr. Speaker: The member for High Park

ODC CONSULTANT

Mr. Shulman: A question of the Ministry of Industry and Tourism, Mr. Speaker. Is it the policy of ODC to keep experienced consultants over the age of 65 on six-month contracts at a rate of approximately $15,000 a year? If that is the policy of ODC, have they made an exception for one consultant only? If so, I would like to ask how much that consultant is getting and why the exception was made in his case?

Hon. Mr. Bennett: Mr. Speaker, there have been exceptions made in the ODC, as well as within the ministry, in relationship to people who have attained the age of 65 and who have been assigned to a specific project or projects to bring them to a conclusion. Generally speaking, if we can see the possibility of bringing the projects to that position within a six-month period then we do try to retain them so that there is some consistency in the reporting on the particular ones they are involved with.

Mr. Shulman: A supplementary, Mr. Speaker: Has anyone other than the campaign manager for the Provincial Secretary for Social Development received more than $15,000 for a year?

Mr. Lewis: Good Lord. That is quite outrageous.

Hon. Mr. Bennett: Mr. Speaker, first of all, I would have to inquire as to who the campaign manager might be for the hon. provincial secretary.

Mr. Shulman: C. D. Smith.

Mr. Lewis: Let his name rest in Hansard.

Hon. Mr. Bennett: But I can assure the hon. member that we retain people in the ODC because of their ability, and not because of the political party they happen to follow in this province.

Mr. Breithaupt: Is Arthur Wishart's project going to be cut also?

Mr. Lewis: That is unbelievable. What about my campaign manager?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, on a point of information, my campaign manager is going to be very upset, because I think he is about 34.

Mr. Breithaupt: How much is he getting?

Mr. Shulman: On a point of privilege.

Mr. Speaker: The member for High Park.

Mr. Shulman: On a point of privilege, if I may, Mr. Speaker—

Hon. Mr. Stewart: The member has too many points of privilege.

Mr. Speaker: Order, please.

Mr. Shulman: —may I ask the hon. member what C. D. Smith's relationship to her can be?

Mr. Speaker: That has nothing to do with the original question. The member for Windsor-Walkerville.

Mr. Lewis: Who is C. D. Smith? May I submit a list of campaign managers? Some of them are quite splendid people. Many of them are unemployed.

RAILWAY RIGHTS OF WAY

Mr. B. Newman: I'm sure that the Minister of Transportation and Communications is aware that railway rights of way are located in the core urban area in many municipalities and that these municipalities would like to remove the railway rights of way. What financial involvement is the minister prepared to make with the federal government and/or the municipalities to remove these rights of way so that these rights of way can be redeveloped for other purposes?

Hon. Mr. Rhodes: Mr. Speaker, in the past the ministry has been involved in the railroad relocation studies as they related to transportation problems. In a number of municipalities throughout this province studies were carried out so that municipalities could determine whether it would be more costly to relocate the railroad tracks or to get involved in a number of underpasses or overpasses.

As it stands now, considering the terms of the Railroad Relocation Act as it was presented in the federal House, we would not be at all interested in getting involved financially under the terms of that Act. We don't think the Act is worthwhile. We don't think it offers sufficient financial assistance to the municipalities in order to carry out very costly works. We have said to the minister, hon. Mr. Danson, that there are several amendments he should seriously consider, because otherwise municipalities would be financially incapable of getting involved to move railroad tracks out of their core under the terms of that bill.

Mr. B. Newman: A supplementary, Mr. Speaker.

Mr. Speaker: A supplementary.

Mr. B. Newman: Is the minister aware that in the city of Windsor there would be no fancy overpasses or underpasses with the removal of the railroad rights of way; and would the minister seriously consider a different policy as far as the municipality is concerned?

Hon. Mr. Rhodes: Mr. Speaker, as far as the transportation policies or our involvement are concerned, we are prepared to be involved in the studies. But let me point out that in the Act which was passed by the federal government there is no financial assistance available whatsoever—not one penny—to relocate any industry or business that may be served by that particular railroad branch.

The federal Act also says the federal government will participate in the relocation up to 50 per cent of the net cost. There's an awful lot of money involved in the relocation of industry and business that may be served by any particular railway spur. There is an awful lot of money even in the 50 per cent cost, so we're not about to get ourselves involved in any sort of arrangement until the total financial implications have been worked out.

Mr. Speaker: The member for Thunder Bay.

FUTURE OF ARMSTRONG

Mr. Stokes: I have a question of the Provincial Secretary for Resources Development. Now that over 13 months has elapsed since the announced closure of the radar base, and in view of intensive liaison with the federal government, can the minister assure the people at Armstrong that something tangible will result from his activities over the past several months?

Hon. Mr. Grossman: Mr. Speaker, of course I can't assure them that something tangible will result. If the hon. member means by that, can I assure them that we will get some industry going there, which is what we're attempting to do, I would hope that what I'm going to tell the hon. member he will be kind enough to relay to the residents of Armstrong, which I'm afraid he hasn't done in the past.

Mr. Stokes: I have always kept them informed. I sent them the minister's 25-page memo.

Hon. Mr. Grossman: I know. We can go into that some other time.

Mr. Lewis: He can't imagine what they did with it.

Mr. Stokes: That's one thing the minister can't accuse me of.

Hon. Mr. Grossman: It depends on what the member was informing them about.

Mr. Lewis: Their reaction was nil.

Hon. Mr. Grossman: We can go into that some other time. I never like to be provocative when I get up to answer a question, and the hon. member knows that.

Mr. R. F. Nixon: The minister is getting mellow.

Mr. Lewis: What is his campaign manager doing?

Hon. Mr. Rhodes: How old is he?

Hon. Mr. Grossman: He's a pretty good lawyer. His name is Larry Grossman and he's a damn good campaign manager, too.

An hon. member: And he's not over 65, either.

Hon. Mr. Grossman: Someday he'll probably be sitting there.

Mr. Reid: He doesn't take after his father

Hon. Mr. Grossman: I hope not.

Mr. Speaker, let me tell the hon. member that we have had conferences as the hon. member knows, with a number of organizations and potential industries about going into Armstrong. We currently have two we are discussing matters with and a new one has developed. As a matter of fact, I will be in Ottawa on Wednesday with staff to discuss a proposal in the presence, hopefully, of a number of federal ministers and in the presence also of the proponents of the new industry. I don't know how that will develop. We have to get a great deal of co-operation from the federal government.

We have to make sure, as the hon. member knows, that the propositions which have been presented to us are viable. The hon. member also knows we have had to investigate a number of them which turned out to be not so viable and not so practical. I'm sure the hon. member knows this.

We hope that as a result of our meeting on Wednesday we will have something of a constructive nature to present to the citizens of Armstrong. I can assure him that by now we've had I suppose 100 meetings on this matter. We've put a tremendous amount of

time and effort into helping the good citizens of Armstrong. If we don't succeed, no one will be able to succeed, I can assure the member of that.

Interjections by hon. members.

Mr. Stokes: Now that there are two feet of snow and it is below zero, can't the minister give them something to warm their hearts.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Rhodes tabled the annual report of the Ontario Transportation Development Corp. for 1973.

Mr. Speaker: Motions.

Introduction of bills.

REGIONAL MUNICIPALITIES AMENDMENT ACT

In the absence of Hon. Mr. White, Hon. Mr. Winkler moves first reading of bill intituled, the Regional Municipalities Amendment Act, 1974.

Motion agreed to; first reading of the bill.

Hon. Mr. Winkler: Mr. Speaker, among the amendments being made to the Acts of all regional municipalities there is an important amendment to clarify the responsibility of the regional municipalities for the provision and financing of water and sewage services. The ability of the regional municipalities to charge fees for the disposal of different kinds of waste is being clarified to allow the fees to be varied on the basis of weight or volume or other criteria determined by the council.

Another amendment removes certain limitations in the regional Acts so that regions may make grants deemed beneficial to the respective municipalities.

Mr. Speaker: Just before the orders of the day, Mr. Speaker might remind the members before they get away to their respective duties of the impending reception and luncheon this evening. We hope to see as many there as possible. Also, in view of the fact that there are quite often some greetings and well wishing taking place, perhaps we might stretch the dinner hour and return at 8:30.

Hon. Mr. Winkler: Mr. Speaker, I think that the House would agree to do that, maybe for a different reason than that which you've stated.

Mr. Speaker: Orders of the day.

CORONERS ACT

Hon. Mr. Kerr moves second reading of Bill 162, An Act to amend the Coroners Act, 1972.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, the amendments in this bill go some way to take care of some problems which have existed with respect to the operation of the coroner's office over the past number of years.

For the first time coroners are going to be appointed for the whole of Ontario. We think that this is a good idea in that a person will be able to act wherever needed, especially in an emergency, and will not be bothered with a certain territorial jurisdiction.

We think the provision of a deputy chief coroner is also useful, because it will allow the administration of the office to continue and also possibly groom some person for the ultimate promotion to the position of chief coroner for the province.

The matters of local police assistance are dealt with in section 3, with an amendment, and section 4 sets out a coroner's warrant for burial which makes it certain that that is required in all cases.

Unfortunately some rather large tragedies have occurred recently with respect to automobile accidents and even aircraft accidents, so that the provision set out in section 8 amends section 21 of the Act now to allow one inquest where there are multiple deaths. This, too, we believe, will result in a saving of time and the avoidance of duplication of procedures which might otherwise occur in such an unfortunate circumstance.

There is one rather important point in section 9, Mr. Speaker, and that has resulted from the request of many persons, as reported in the press, to ensure that families of a deceased have the right to seek an inquest if, in their view, that should be required. We are aware, of course, that the Solicitor General (Mr. Kerr) has been asked for this provision, and it would appear to clarify the statute that this matter is now being placed into law.

Section 21(a) under the new Act is going to allow this request to exist, but we think that there should be one thing that we would commend for a change to the minister, and that is to move the 60-day period to 30 days. We are, of course, well aware that coroners are busy people. However, one would think that 30 days would be long enough to advise the person requesting such an inquest that the final decision has been made, perhaps, not to hold it. Of course, there will be reasons in writing at that time, but we would think that 30 days would be sufficient time in which to make sure this procedure is followed.

These changes, of course, are all subject to section 19 in the Act, which gives the Solicitor General the power to direct any coroner to hold an inquest despite the fact that the inquest may have been held earlier or that the coroner may have decided against an inquest in any case. We think that the natural position of the Solicitor General as the minister responsible for this kind of legislation, should be to have the overriding decision to make a judgement as to whether or not there should be an inquest and, as a result, that remains a paramount situation over the decision otherwise of the chief coroner.

However, as I have said, in this particular section the matter of 30 days we think would be a satisfactory time frame in which to come to this conclusion, rather than having the 60-day term.

Section 12 in the bill brings in some changes which hopefully will avoid duplication. At the present time the lists do not work out to be the same way as this bill will now have them do. The list of coroners' juries is changed now to those on the sheriff's jury roll, as for the normal development of court purposes. I would think that this would be a procedure which will standardize the operation of the choosing of coroners' juries and will be of some benefit.

The only exclusion in section 28 of the present Act which is not contained in this bill is where a person acted as a juror at an inquest in a similar capacity within a year. I suppose that it is likely that such a person would be struck off the sheriff's list and not be placed as being available for a coroner's jury list for some years, so that the chances of duplication are no doubt very slim.

Under subsection 5 in the new section 12—or I should say in the new section 28, in effect—there is the possibility of being excused on the grounds of illness or hardship. We think that those particular exclusions are satisfactory and there should be this opportunity to make a judgement as to whether a person really should be excused from performing these duties on those terms.

The remainder of the sections, Mr. Speaker, deal with minor amendments that are in the statute. They have some complementary changes to the sections which I have already discussed and, as a result of the changes and with the request that the minister does consider the 30-day suggestion I had made, I'll end my remarks. We'll support the bill.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Mr. Speaker, in the past two or three years we have thoroughly done in the coroners of the province by a reformulated and recodified statute covering most of the major points. Up to that time the whole operation of coroners and coroners' juries was a very suspect subject in this province.

These are detailed matters in this legislation which don't go to the root or the substance of the matter. We will not, I believe, as far as we are concerned, send the matter into committee; it'll go on to third reading. There are two or three points that I would like to raise with the minister nevertheless, since that is going to be our disposition and approach to the matter.

The business of giving the coroners a wholly provincial power is beneficial, sensible and to the point. The utilization of local police forces, the clarification of the rights of coroners to call upon the police in this particular regard—if it were, and apparently it must have been, a moot point because now it has been seen fit to embody it in legislation—the business of calling an inquest on the request of certain relatives of the deceased are all to the good.

I had misgivings about the latter when I first read it, saying that it didn't go far enough, because the decision of the chief coroner is final. It could be arbitrary; it could be the end of the road if he simply says, "No, we are not going to give it." However, I don't feel that strongly in connection with the matter, insofar as the section says the chief coroner's decision is final subject to section 19. That other section 19 gives the minister the ultimate and final power within the matter.

If somebody is deeply aggrieved there is no reason in the world why he couldn't go and see the Solicitor General, point out the causes of his grievance, the roots of the same, and his final dispository power very

well might bring about an inquest if sufficient reason is given to him at that time. So I think there is a basic safeguarding there.

I would like the Solicitor General to explain to me why he feels the next section in question, section 11, is really necessary. The role of the Crown attorney in calling the inquest is, I thought, to represent all individuals in connection with it. The minister is spelling out specifically the role of the counsel for the coroner himself—the minister wishes to reserve in his own hands a separate and distinct lawyer for representing the ministry in distinction from the Crown attorney acting in the case. Why does the minister really feel that this was necessary? Is it not duplicatory and does it not involve the province in extra expense in this regard? There must, it seems to me, be very good reasons for it.

The switch to the jury list working through sheriffs—no one can possibly take any exception to that sort of thing.

The business of the Crown attorney advising a witness as to his rights under the Canada Evidence Act is to the point. I think it should have been done—and always is done in my experience, in any event.

Why not also the Ontario Evidence Act? I don't understand why it is omitted from specific reference under this head as it comes through. There are any number of quasi-criminal offences, tried under provincial jurisdiction, which have nothing to do with the federal courts and on which adequate and equal protection should be given as in the other case. Clauses in those two statutes have a high measure of resemblance and I don't see why the Solicitor General doesn't extend that possibility a little further. There may be some good reason for it. If so, I think it is better to have it on the record so that we know.

Those are my basic thoughts in connection with the legislation and from that point we will let it go through. Thank you, Mr. Speaker.

Mr. Speaker: Does any other hon. member wish to take part in the debate?

The hon. minister.

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, I appreciate the remarks of the hon. members.

The hon. member for Kitchener dealt specifically with section 21a, regarding the period for considering a request for a review. I think that when the coroner determines that an inquest is unnecessary, then the deceased person may request in writing to hold an inquest—I am sorry, the deceased's next of kin, as set out in the section. The coroner will then give the person requesting an inquest an opportunity to state his reasons, either personally, by his agent, or in writing.

Then the 60-day period comes into play—that is, the coroner shall advise the person in writing within 60 days of the receipt of the request. The reason for the 60 days rather than, for example, 30 days, is because there will be some investigation into those reasons. The coroner would want to correlate generally the reasons why it was decided an inquest was unnecessary in the first place. It could be in the wintertime and it could be a death that took place, shall we say, out in the country. It is a matter of correlating documents, getting all the necessary reports and possibly involving some interviews.

We felt that so that this would allow complete consideration by the next of kin—particularly, as I say, after it was decided in the first instance that an inquest was unnecessary—that there should be a full investigation as a result of this request, and that it would probably take more than 30 days. It may not take up to 60 days, but certainly it may take more than a month. So to be safe, that's why we put the figure of 60 days in there.

The new Juries Act will, of course, pretty well apply as far as the selection of jurors for inquests as set out in the new section 28.

The member for Lakeshore, I believe, dealt mainly with section 10. There have been some comments by the Crown attorneys regarding the existing section in the Act—that is, section 23—in that they want it to be more than persons in good—

Mr. Lawlor: It was section 11 that I was interested in; not 10.

Hon. Mr. Kerr: I am sorry, section 11; and therefore I would refer to section 24 in the present Act, where Crown attorneys have said that there is some anomaly in referring to them as persons with standing—"to be deemed a person with standing"—and they ask that it be made specific and definite that they are acting as counsel to the coroner.

I think the reason, therefore, for adding the other subsection in reference to the minister is because the Crown attorney will, in fact, be acting for the coroner. Then, if the minister is to be represented, he may be represented by separate counsel.

There seems to be an interpretation in the present section that the counsel could take over the inquest and possibly exclude the Crown attorney, and we want to do-away

with any implication of that sort. I doubt the occurrence very much, Mr. Speaker, and I am not aware of any recent cases where, in fact, the minister had to be represented separately and apart from the Crown attorney—in other words, that his interests were such that they required separate counsel. I think this helps clarify, as I say, the fact that the counsel will be acting for the Crown attorney, not just as a man with standing. The minister, in fact, in order to avoid any confliction may also appoint counsel.

Mr. Lawlor: Might I ask a question, Mr. Speaker, since we are not sending it into committee? How about section 12 as to the embodiment of the reference to the Ontario Evidence Act?

Hon. Mr. Kerr: Mr. Speaker, I was unable really to notice the reference to the Canada Evidence Act in section 12. Does the member mean section 12 of the new bill?

Mr. Lawlor: Oh, sorry, section 13. I am just reading the minister's explanatory note.

Hon. Mr. Kerr: Section 13 in the new bill is amending subsection 2 of section 34?

Mr. Lawlor: Right, Both the coroner and the Crown attorney have to advise a witness of his rights under the Canada Evidence Act. I'm asking why not also under the Ontario Evidence Act?

Hon. Mr. Kerr: Mr. Speaker, I really have no objection to that. I'm under the impression that the Canada Evidence Act is broader than the Ontario Evidence Act and for the most part gives the witness immunity from self-incrimination and the laying of charges against him as a result of his evidence. Whether or not reference to the two is necessary, I'm not prepared to say. But I don't see any objection to that being added to the subsection.

Mr. Lawlor: All right, I ask the minister to do so then.

Hon. Mr. Kerr: Yes.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Lawlor: If the minister is going to make an amendment, Mr. Speaker, we have to pass it in Committee.

Hon. Mr. Kerr: I can do that in third reading. I'd like to get the wording of the amendment.

FIRE DEPARTMENTS ACT

Hon. Mr. Kerr moves second reading of Bill 166, An Act to amend the Fire Departments Act.

Mr. Lawlor: I can take all afternoon on this one, Mr. Speaker.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: "Why?" is my simple question. The Arbitration Act is excluded presently under section 8, specifically with respect to both agreements and to awards or decisions of boards of arbitration. Now the minister is seeking to add the Statutory Powers Procedure Act, 1971. I would like a little further explanation of what his position is.

That Act was designed to protect natural justice and to set up a code of fair procedure. I can imagine that many of its provisions aren't agreements are entered into under the Fire Departments Act, but some of its phases seem to me to have impact and to have some benefits to those who are engaged in the thing.

I suppose some of the minister's thinking must revolve around the fact that this type of hearing or these types of procedures are of a distinct nature from those conducted in tribunals or before courts and that the rules of notice and the rules of cross-examination, having counselled on many other aspects, are not strictly speaking applicable. Please explain it.

Mr. Speaker: Does any other hon. member wish to take part in this debate? The hon. minister.

Hon. Mr. Kerr: Mr. Speaker, the exclusion of this Act from the Statutory Powers Procedure Act is more or less in line with the same provisions that we have at the present time under the Crown Employees Collective Bargaining Act. As the hon. members know, this does not apply to arbitrations under that Act, and there are other pieces of legislation, such as the Workmen's Compensation Act, that have also been excluded from the provisions of the Statutory Powers Procedure Act.

I think the main reason for this is that these associations or organizations, or unions, whatever one wants to call them, have been bargaining in a certain way in the past; they

have not had, shall we say, the very formal structure that may be required under the Statutory Powers Procedure Act. As members know, there are strict rules as to proving documents, as to rules of evidence, and all the rather formal procedures that up to that time, before this Act, didn't apply to negotiations of this kind.

When the member refers to McRuer, his main concern, of course, was the protection of individual rights, in that they had proper protection at hearings before various boards and commissions, that there was proper notice, that there was a right of cross-examination, that there would be a report of the proceedings, and generally, as I say, governing the cross-examination of witnesses and the proving of dcuments; the rather formal structure that exists, one might say, in a courtroom.

When the Act was first proposed—that is, the Statutory Powers Procedure Act—in 1971, the firefighters' asociation at that time had requested just a little too late that they be exempted, like other parties to negotiations in the province, as I have indicated.

I might also mention that the Hospital Labour Disputes Arbitration Act is another that is exempt from the Statutory Powers Procedure Act.

Of course, one of the parts of the submission to us was that if these associations—and they are numerous around the province—are required, each time there is a negotiation, to comply with the requirements of the Act, this means that they would have to hire high-powered counsel and deal with municipalities which are able to do that over a prolonged and rather detailed and expensive basis.

I believe the Act at the present time, upon consent of both parties, allows the negotiations under the Fire Departments Act to be exempt. However, there has been a situation where one municipality—I believe it is Windsor—indicated that it wants the Act to apply. This has resulted in protracted negotiations in that city, and the possibility of withdrawal of service and all the sort of ramifications that can sometimes apply when there isn't a collective agreement and there isn't progress at the collective bargaining table.

I really don't think there is too much more to say. The hon. member may recall that last year there were amendments to both the Workmen's Compensation Act and the Labour Relations Act, I believe, which exempted certain proceedings, and this, I think, is analogous to those situations in that we have two associations—or we have a council and an association—dealing with a work contract or collective bargaining. It's not the type of hearing or tribunal that was envisaged by McRuer when he recommended that these protective steps be applied generally to people appearing before boards and agencies and tribunals.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

POLICE ACT

Hon. Mr. Kerr moves second reading of Bill 167, An Act to amend the Police Act.

Mr. Breithaupt: Mr. Speaker, I am pleased to rise and speak on behalf of our party with respect to our approval of this bill.

The amendment which is being made parallels the law as it presently exists with respect to municipal police forces and those members of such forces who are unfortunate enough to be killed, or die from injuries received or from illness contracted in the general discharge of their duties. We now see that immediate dependants of members of the Ontario Provincial Police force are also going to receive this benefit from the Legislature.

Surely, it's little enough for us to do, in cases such as these, to make sure that the members of the OPP, both men and women, are going to be protected and know that they are going to be protected, and that their families are going to receive some benefit and some compensation — inadequate though it might, of course be — to take care of families whose members have been killed or who have died during their service to the people of Ontario.

We certainly support this amendment. We think it is perhaps some time overdue, but at least it is here now and those who are in the service of the Ontario Provincial Police will be able to know, as they go about their duties, that this enactment by the Legislature will protect their dependants should the occasion arise. We're pleased to support the bill.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, the members of the New Democratic Party wholeheartedly support this legislation.

Hon. A. K. Meen (Minister of Revenue): That's the shortest speech on record.

Mr. Speaker: Does any other hon. member wish to take part in the debate? The hon. minister.

Hon. Mr. Kerr: Mr. Speaker, as the hon. members have indicated, this is the type of amendment to legislation that everybody would agree with. It provides something to the members of the Ontario Provincial Police force; to widows, with respect to officers who are killed or die from injuries received during the course of duty. This provision is now available to the municipal forces and we're just extending it to the provincial force.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Mr. Speaker: Does the hon. minister wish to comment on Bill 162?

CORONERS ACT

Hon. Mr. Kerr: Yes, the hon. member for Lakeshore indicated that he wanted the bill to go to committee because he would like to see the Ontario Evidence Act apply as well as the Canada Evidence Act. I have pointed out to him that section 34 of the Coroners Act gives automatic protection, which would cover both pieces of legislation and, therefore, he has agreed that it continue on to third reading.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 162, An Act to amend the Coroners Act.

Bill 166, An Act to amend the Fire Departments Act.

Bill 167, An Act to amend the Police Act.

LAND SPECULATION TAX ACT

Hon. Mr. Meen moves second reading of Bill 168, An Act to amend the Land Speculation Tax Act, 1974.

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): Mr. Speaker, I was more than a little disappointed when the minister introduced the bill and didn't even eat a little bit of humble pie, because I recall very clearly the lengthy debate we had when this bill was going through the House. It went on for six weeks or more and probably took longer than any other bill to go through this House.

It started off, if you will recall, Mr. Speaker, with great and subtle government moves to change the title, and the minister wasn't too clear on why he wanted to change the title. He wanted to change the title, it later came up, because he thought that a rose by any other name might smell a little sweeter and that if he did change the title he might really have fooled those terrible fellows up in Ottawa as to what kind of a bill it was. After long debate we finally changed the title. I think there was a vote, or perhaps two votes or three votes, on changing the title of the bill.

Then, you will recall, Mr. Speaker, we hand a second reading debate on the bill and it went on for quite some period of time. My colleagues and I said that in principle we support the bill but at that particular time we drew the minister's immediate attention to our opinion as to the incidence of this taxation and the particular fact that in our opinion it was not going to be deductible as an expense of doing business, that there was no reason why the federal government should agree that this tax would be deductible as an expense of doing business and that therefore the incidence of taxation could be as high as 115 per cent.

"Oh no," said the minister, "that would never, never happen." I think at that time his colleague the Treasurer (Mr. White) said, "Besides which, those great federal Tories, when they get into power"—and I think a man named Mr. Stanfield was mentioned, whoever he might have been—"they will look kindly on our great efforts to legislate properly for the Province of Ontario, and Mr. Stanfield certainly won't insist that that tax not be deductible." Interestingly enough, even the Treasurer didn't have a word for Mr. Stanfield himself. He was just trading on Mr. Stanfield's goodwill and his love for

those gentlemen who inhabit the front benches, albeit for a short period of time yet remaining.

No one really had gone into any great consultation with the federal authority. No one, when the minister brought the bill before the House, had bothered to go up and get a federal tax opinion. The minister hummed and hawed and fluttered about, and finally he had to admit that he really hadn't sought any opinion other that that of his departmental officials. He sought no opinions of any of the prominent tax lawyers or any of the prominent accountants who might be somewhat knowledgeable about this.

I can recall reading to him an opinion from one important and well-known firm of accountants, and the hon. member for Riverdale (Mr. Renwick) read him the opinion of another firm of accountants. We asked if he couldn't have inquired from several of the leading taxation lawyers. It was only at the 11th hour that his colleague the Treasurer read an opinion, albeit wrongly phrased and phrased in general terms, from a lawyer named Mr. Goodman, who conceded that maybe the minister was right and that it was logical that the tax could be allowed as an expense of doing business.

With ill grace the minister forced this thing through the House, and anybody who knows anything about taxation principles should have had the courage at that point in time to have admitted he was wrong. Now, as I say, the minister is beating an ignominious retreat and doesn't even have the courtesy to convey to the House or to the people of Ontario the fact that he has made a terrible mistake.

He should have had the good grace, at least, to get up and say: "Well, this time certainly I, the minister, was wrong. My officials were wrong. My advisers were wrong. I should have sought extra opinions. I should have had outside people to advise me. And now I must admit that the Liberals were right, that those who supported the position that this was not going to be deductible as an expense of doing business were, in fact, right, and now I have to go back and change what they told me should have been changed in the first place."

You may recall, Mr. Speaker, that on third reading we moved that the bill be set aside for a period long enough to inquire authoritatively as to whether or not this might be deductible. The minister couldn't restrain his snorts—that's what they were—about what a ridiculous position the opposition took in regard to this bill, saying that was merely inviting those terrible federal people to take a stance that anyone who had any knowledge of taxation matters must agree that they were going to take in any event.

Well, Mr. Speaker, the bill finally wound its way through the House after some six weeks, being hotly debated on this and other points throughout its whole progress through the House, the minister not retreating one inch from his arbitrary position—the minister saying that he was right. His colleague the Treasurer said, "If those terrible fellows up in Ottawa think that we are wrong, we are going to go to court. We'll go to court and we are satisfied from the advice that we have that we'll be right."

The history of this government going to court hasn't been a good one either. You may recall, Mr. Speaker, that famous action, the Province of Ontario against Dow Chemical, that has been dragging its way through the courts. I think it's got as far as a motion for particulars; the pleadings aren't even complete—what, three years, four years and a million dollars of expenses later? I guess the government found that the counsel that they had retained to prosecute the Dow Chemical action on their behalf were too involved in the Dow Chemical action to take on this important challenge of the federal government in court over the allowability of this as a business expense.

Time rolled on, Mr. Speaker. The great hopes that we used to hear from the front bench about the change in federal government weren't, in fact, fulfilled. There was an election in July of this year, and even if their good friend Mr. Stanfield might have had the power to do what it was suggested that he would do, he never really got the opportunity, unfortunately perhaps. But interestingly enough I again point out that even Mr. Stanfield and any of his taxing people, any of his tax advisers—I think Mr. Gillies said maybe the Province of Ontario has a point, but Mr. Gillies has stopped even arguing with the government on that point at the present time.

There is one little chapter in the middle. Somewhere along the line the minister said: "I was up to Ottawa and we had a very good reception." I presume that meant that when he knocked on the door and said, "Here comes the Minister of Revenue for the Province of Ontario," his federal counterpart said, "Come in, Mr. Meen, it's nice to see you." I'm sure that the federal Minister of Revenue is a very pleasant gentleman and I am sure he treated the Minister of Revenue for the

Province of Ontario with the courtesy that he deserves and they had a nice long chat.

The only report that the Minister of Revenue had for us at that time was, "Well, after all you must realize that the government of Canada taxes for the whole of Canada." That was the first time the minister began to back down as ingloriously as he did back down. Because that, Mr. Speaker, was the point we made throughout the six-week debate—that if by any chance this tax was deductible as an expense of doing business, it had to mean that the government of Canada was going to allow its taxing authority to be completely undercut by the provinces, and that if the government of Canada took this position insofar as this bill was concerned it would have been, in effect, giving away its right to tax. It would have been abandoning its duty and its responsibility to all of the people of Canada.

Then a little later on, if my memory serves me correctly, Mr. Speaker, the minister did get up one day and say: "We have now heard from Ottawa and they are determined that this will not be deductible as an expense of doing business. I guess we will have to accept that now. In due course, I will be bringing in an amendment"—and this is the bill, Bill 168, with the amendment. "Yes, the bill will be retroactive, so that anybody who has paid the tax will now be able to reduce the rate."

As I say, it would have been much more graceful and perhaps much more fitting if the minister had said: "I am sorry, I made a mistake." He could even have coloured his language, and said: "This time, if never before, or never after, the opposition was right and I, the minister, made a mistake." But we didn't even get that out of him. So forgive me, Mr. Speaker, if you will, if I overly stress the difficulty that we had with the minister. The minister was wrong; we told him he was wrong; we told him for six weeks he was wrong. We moved a series of amendments trying to indicate that he was wrong. From April 9, to Dec. 9—

Mr. Breithaupt: Dec. 9.

Mr. Singer: —What's that? Seven months?—

Mr. Breithaupt: Eight months.

Mr. Singer: —eight months later. It took the minister some eight months—

Mr. Breithaupt: To the day.

Mr. Singer: —to the day to admit that he did in fact make a mistake, and that he was going to do what he should have done in the first place.

Mr. Breithaupt: A short gestation period.

Mr. Singer: Had the minister—let me look for a phrase that isn't going to insult him unduly—had the appropriate legislative stance that would have allowed him to say, that even ministers make mistakes, and had he gone along with what we advocated in the beginning, it would've been much more tasteful. Mr. Speaker, I can't hesitate saying to him: "We told you so. You shouldn't have been so misinformed or so uninformed or lacking in inquiry ability as to have bulldozed this thing through the House with your big Tory majority."

Speaking of the big Tory majority, I see the minister has got nine of them here at the moment, hardly enough to make up a quorum, although I am not going to call for a quorum call. The minister's colleagues haven't got much enthusiasm in supporting his ungraceful retreat.

Mr. L. Maeck (Parry Sound): There are only four Liberals that I see out of 23.

An hon. member: How many have members opposite got?

Mr. Singer: Do members opposite want a quorum call? If they insist, I'll draw to the Speaker's attention—I haven't yet—that there isn't a quorum in the House.

Mr. Maeck: Let the member take a look at his own ranks.

Mr. Singer: However, I don't think anything is particularly to be achieved by that, so I am not even going to mention it to you, Mr. Speaker.

Interjections by hon. members.

Mr. Speaker: I am wondering if we could get on with the debate on second reading, on the principle?

Mr. Singer: Mr. Speaker, certainly we can accept section 1, which reduces the rate of tax from 50 per cent to 20 per cent. Certainly we can accept section 3 which provides for a rebate in the event that anyone has been foolish enough to have been caught up with the higher incidence attached and now has to get it back, although I wonder why they only give it back with interest at the rate of seven per cent, when the minister knows full well that nobody can borrow money at the rate of seven per cent and that one can get money back from the bank on a

savings account at the rate of 9.25 or 9.5 per cent. If you want to go to GICs, Mr. Speaker, you can get 10.25 or 10.5 per cent and if you want to go into something a little more risky, but not very much, you can get 11 per cent. Why should people, who have paid too much to the government because the minister wouldn't recognize some of the facts of the taxation laws, only get back their money at the rate of seven per cent, if they have done foolishly what the minister said they should have done, the minister of course being wrong?

However, let me deal with section 6. Section 6, now installs another ministerial discretion. The minister doesn't even know he has got another discretion in section 2; this is as bad as the other discretions that he reserves for himself. The minister had a little surprise on his face, if I read him correctly, that he now has another discretion.

Section 6 says:

> Where the result of one or more sales, exchanges, declarations of trust, or other transactions of any kind whatsoever is that a person has transferred property under circumstances that may be reasonably considered to have
>
> (a) effected a disposition of or with respect to designated land and to have artificially or unduly reduced the amount of the taxable value of the designated land . . .

Now, there is the ministerial discretion. A sells to B a parcel of land after April 9, and he sells it to B at a price which someone believes is too low. Thereby, in the exercise of some kind of a mysterious discretion; he is deemed to have disposed of it at an artificially or unduly reduced amount of the taxable value.

How is that process going to work? You look at a particular sale, Mr. Speaker, and A sells to B a piece of land at a value which someone who is a ministerial adviser is going to say in the name of the minister: "That is too low. It is artificially reduced." Then you are giving an absolute discretion again to the minister to say: "Aha! In my opinion that price was too low, now you prove that it was a proper price."

Why should that onus now be allowed to be put on the vendor and/or the purchaser in the subsequent transaction? Why shouldn't it be up to the minister at least to establish his contention that the price was artificially reduced, establish it before a court, bring forth his evidence as to why this should be so and give the person whose transaction he disputes an opportunity to question him?

You know, Mr. Speaker, with me, that the land transfer tax has been collected on the basis of affidavit, and if the affidavit is there then it determines the incidence of taxation. You know, Mr. Speaker, the decision as to whether or not a particular transaction is subject to land speculation tax again is determined substantially by affidavits and they are accepted.

If the minister says—and this is in fact what he is going to say—that the price has been artificially or unduly reduced, surely he can only mean that having looked at some documents before him he has come to some kind of conclusion that the people who have made the transaction have been lying and have been lying in their particular affidavits. That's a very serious charge.

Why should there be ministerial discretion? Why should the process be that if the minister comes to the conclusion that someone is lying as to the sale price, the minister has to prove that before an appropriate court where the matter can be argued? But no, that's not good enough. What's happening is that the matter is taken back into the ministerial environs—into that place where he gets his great advice as to the deductibility of the tax as a federal expense of doing business—and there it is tossed around the table. Then the minister says to the individual concerned: "Well, that's too bad. In my opinion you have sold it at an artificially reduced price and therefore you are taxable."

Why shouldn't the shoe be on the other foot? Why shouldn't the onus be on the minister to prove—and to prove before a court where there is an availability of argument, where documents can be summoned, where cross-examination can take place—why shouldn't that onus be on the minister to prove that the information that was brought to substantiate the particular transaction has in fact been false and untrue?

We object to that, Mr. Speaker. We object to the insertion of an extra and a further unfair ministerial discretion in an Act that is just full of ministerial discretions; in an Act that doesn't set out the law, but sets out ministerial discretions; in an Act that is just as good as the length of the minister's foot on a particular day. That's what the rule of taxation under this statute is. It's as long as the minister's foot is on a particular day and that just doesn't make sense in a taxation law, Mr. Speaker.

Well, as I say, while we can support sections 1 and 3, section 2 is unsupportable. I don't know how we are going to get over our dilemma, because we don't want to oppose sections 1 and 3 which we told the minister should have been in from the beginning. We want to support those but we don't want to support section 2.

If one can say, Mr. Speaker, that the principle behind this is to do what we advocated last April and May, I guess we will vote for second reading, but we will ask that the Bill go to committee so that we can properly oppose section 2. But I make our position quite clear that in voting in support of the bill in principle, we are not supporting the insertion of another discretion with all the unfair attributes that it brings to it.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, there are several points under this bill. When this nefarious legislation was engendered last spring and, after prolonged debate, was forcefully pushed through this House, the minister was told abundantly at that time that the feeling of the opposition as a whole, I think, was that the constitution of this country was in such a way that he wouldn't make it stick and that to do so would be vindictive taxation, to say the least. This has proven true and I think we are entitled, as members of the opposition, to crow, in no unduly chanticleer fashion, but to say, "We told you so."

The reduction that the minister has made to 20 per cent seems to me not to be simply a figure out of the air and I would like to know precisely the basis of it. It seems that he has taken the figure that he has imposed as a tax under the Land Transfer Tax Act with respect to foreign acquisitions, as the figure that would be the most appropriate in the context before us. It's kind of an irrational uniformity; it's kind of a blind stand. It still leaves the tax at a very high level indeed, as the minister himself seems to pride himself in saying; it could be in the 80 per cents.

It's most unfortunate legislation all the way around. Doesn't the minister feel that he has suffered the perils of Pauline, that Pauline Meen has come under fire at the very time in history of the province when the market is falling out of housing; when, due to escalating interest rates and inflationary pressures on the credit market, the housing market is in a state of total dereliction, with all the misery that implies to any number of people living in the province, taken together with the embarrassment it causes the government to be unable to produce the housing unless it enters the housing market, overtly in a direct governmental way which the government, because of misguided ideological preconceptions, is unwilling to do. That being the case, then the minister gives what might very well be called the double whammy to the whole thing, namely the Land Speculation Tax Act.

As things stand, sometimes I think we'd be better not to have the Act and that we could stand a little speculation because there's absolutely nothing going on at the present time as between the two horns of the dilemma upon which the housing market finds itself. It's in a state of total squeeze. The Act hasn't had all that impact, in my considered opinion. I noticed the Minister of Housing (Mr. Irvine), standing in his place today, didn't even refer to this legislation; I don't think it was because he's necessarily ashamed of it but simply because he places the onus where it belongs in terms of the interest rates and capital expenditures on housing currently taking place. But this minister has made his picayune contribution too; and it may be just that extra weight that killed the goose that didn't lay very many eggs. In any event, they weren't golden.

So here we are this afternoon, in a sort of a petitionary gesture, saying, "Oh well, we're going to have to reduce this thing. The federal government won't accede to our wishes." I have said to the House before, and I'll say it now, I don't think the federal government should. There is no surer way of eroding the tax base of this country, that which gives this country solidarity all over and can take the wide view, than to start to accede to provincial legerdemain with respect to the tax field, by eroding it here and there and saying, "If we tax here, then you must step back or you must make a deduction; you must permit our tax to have priority."

I do think, however, that some form of mutual compromise should be exacted because, after all, the government has pressing need of revenues, God knows, or it wouldn't be doing half the things it's doing in the mining taxation and resource taxation fields. They have been driven by desperation, in terms of money, to do all sorts of things that they find totally and completely unpalatable. But if the minister is to swim at all, he must find the wherewithall and that the lifejackets are all present. This is not one of them.

What we have achieved in the legislation is a fair diminishment of the responsibility;

a capitulation on the government's part. Does the minister intend to proceed in any form of action with the federal government? Has he come to the constitutional conclusion that his case would be out of court, or that it would be a waste of the time and money of the province to test the full validity of the thing? Just what does the minister propose to do under that head?

Again, I personally don't think it should be contested. I think the minister should slink away into the underbrush to his quiet lair, lie down, put up his paws and rest, and maybe hibernate for the whole winter, so far as it is concerned. And I think he should try to reach accommodation on a person-to-person basis up there as to a division of spoils.

But as far as this legislation is concerned, we don't support it. We find ourselves in the same dilemma. As far as we are concerned, we will make our main points in committee.

Mr. Speaker: Are there any other hon. members wishing to speak on this bill? The hon. minister.

Hon. Mr. Meen: Thank you, Mr. Speaker. There are a number of points that have been raised by the hon. members, and I would refer particularly to the points made by the hon. member for Lakeshore.

He asks how we got to the 20 per cent. I would assure him, Mr. Speaker, that it was not for the purpose of having consistency with the Land Transfer Tax Act and the non-resident 20 per cent.

Mr. Lawlor: It didn't even occur to me. Twenty per cent was bobbing around in the minister's head for weeks.

Hon. Mr. Meen: As a matter of fact I think it is fair to say that it only occurred to us, after we had concluded that 20 per cent was the fair and appropriate tax to apply under the Land Speculation Tax Act, that we might have to change some of our vernacular in reference to the two Acts. We tended in the past to distinguish the two by referring to the one, the Spec Act, as the 50 per cent tax, and to the other as the 20 per cent tax Now we are going to have to start talking about the non-resident tax and to the land speculation tax, I suppose.

In any event, the member for Downsview has purported to quote me—and I think inaccurately—when he said that I said that the tax would never be 115 per cent. What I said was that it was not the government's intention that it would ever go to that level, and that if the land speculation tax were disallowed by the federal government we would take appropriate steps to see that the tax, which in that event would be of a confiscatory nature, was not applied.

So we have received a ruling from the hon. John Turner, having met with him and with his colleague, the hon. Ronald Basford, on Oct. 16. We did have a very courteous, and I thought, helpful, meeting with them. They didn't give us all that much encouragement; as the member for Downsview has indicated we—

Mr. Lawlor: They told the minister on Nov. 13 that they weren't going to give it to him. What has taken him so long?

Hon. Mr. Meen: There is a matter of principle involved with respect to the erosion of a tax base; even though in this sense, since we weren't out to raise money—and, indeed, were not raising very much money under this Act—that it really was of an inconsequential nature as to the amount of the erosion. But, when finally the hon. John Turner did confirm to me—first orally and subsequently by letter—that the government of Canada could not accede to our suggestion that this be continued to be recognized as a deductible expense, it became apparent to me—and I have said this, too, for some while—that probably the simplest course of action to follow would be an amendment to the rate of tax applicable.

The difficulty with reducing the amount of tax—if there is any difficulty in it—is primarily that it loses its immediate impact as a transactions tax by being only 20 per cent of the amount of the speculative gain, rather than a very substantial, healthy and significant 50 per cent. So perhaps this will not be as significant in the psychology, I suppose, behind the holding of land for speculative profit. I would like to think, though, that people dealing in land look a little farther down the road and see what the net tax impact is going to be, because if they do that they will realize that with the level of tax as proposed at 20 per cent, the net resultant impact on their tax dollars in the long run will be essentially the same.

We looked at various tax rates in order to assess what would be the appropriate amount to apply, having regard for the undertaking given by myself that in no way would the tax be allowed to exceed the estimate of net tax payable as set out in the Treasurer's budget statement of April 9. You will recall, Mr. Speaker, that in that budget the Treasurer indicated that on the basis of the speculation

tax being a deductible item, so-called private corporations would pay a total income tax of 81 per cent, public corporations would pay 87 per cent and private individuals would have a maximum tax rate of 81 per cent.

Well, taking a look at various amounts of tax, if the land speculation tax were 25 per cent—and that was a figure that was bruited about for a time, as was a figure of 30 per cent—so-called private corporations would drop from 81 per cent to around 75, though I think that would be a little higher than that, and public corporations would come in at 87, which is what they were previously in the budget statement figure. Individuals, though, would have a maximum tax of 86 per cent rather than 81. So it was my feeling and the feeling of my colleagues that that figure of 25 per cent speculation tax then would not meet, in the case of some individuals, the obligation which I undertook on behalf of the government that in the event of the tax being disallowed, no one but no one would pay more tax than had been anticipated in the Treasurer's budget statement. Twenty per cent achieves that level.

You see, Mr. Speaker, the maximum tax that a person as an individual pays in personal income tax here in Ontario under our Canadian and Ontario Income Tax Acts is about 61 per cent. That is achieved at a level of, I think, around $55,000 taxable income; somewhere in that region he reaches the level of maximum tax of some 61 per cent. Add to that the 20 per cent land speculation tax which is proposed by this bill and one reaches a level then of 81 per cent, which was the figure shown in the Treasurer's budget for the maximum personal income tax that would be payable. It was on that basis, Mr. Speaker, that we arrived at the percentage of 20 per cent for speculation tax when a nondeductible item.

There was some reference made by both hon. members as to the court action. I've said this a number of times and perhaps it bears repeating: Sure, we could take the case to court and have an adjudication as to whether the tax was deductible or not, or perhaps a taxpayer would take it to court.

Mr. Lawlor: It would be a foolish taxpayer.

Hon. Mr. Meen: The point is that the Minister of Finance has now confirmed that if we should win he would seriously consider changing his Act and, of course, if we should lose, then the point would have been proved.

Mr. Lawlor: The minister doesn't know what the point proves yet, does he?

Hon. Mr. Meen: So one way or the other the tax could wind up being a nondeductible item. There really was no point in putting the people of Ontario through a few more months of uncertainty, when in fact the end result would be the same. Therefore, being a pragmatist at heart, it was my recommendation that we should recognize facts for what they were, and with the statement from the Minister of Finance being abundantly clear as to the position of the federal government in this regard it is, therefore, I think, and was, appropriate that we should make this amendment.

I don't want to close my remarks without referring to the member for Downsview's comments on the amendment to section 6 of the bill. I wonder if he has really looked at section 6(a), being section 2 of the amending Act, because section 6(a) is a simple restatement of section 6 of the Act as it stands. It is split off into subsections (a) and (b) simply so that we can pick up, by subclause (b), to which the member for Downsview didn't even make reference, a situation in which corporations, through the provisions as to deemed dispositions and through a practice called "stuffing"—where one can pack a company with money so as to get its assets in real estate down below 50 per cent, then make the transaction, then withdraw the money again; an obviously colourable attempt to avoid the provisions of the Land Speculation Tax Act—

Mr. Lawlor: That is the opposite of—

Hon. Mr. Meen: —could have avoided the provisions of section 6. It was therefore the purpose of section 2 of the Act to bring in, by subclause (b), this provision, the same sort of authority as presently resides in section 6 of the Act.

When the member for Downsview said that I looked surprised and raised my eyebrows when he was suggesting that I had imported still another ministerial discretion, he's quite right. I was surprised, because we haven't imported it at all. We are covering an area that was an obvious loophole with the same authority for reassessment, no more, no less, than presently exists in section 6 of the Act.

Mr. Lawlor: The minister is going to have to deal with that problem more directly than that.

Hon. Mr. Meen: In any event, Mr. Speaker, that is the reason for section 2 of the bill, and although I'll be happy to put the bill

into committee so that the members opposite—the Liberal members anyway—can show their opposition to this amendment by voting against it in committee if they wish, I think they are mistaken in their understanding of it, because I would suggest to the hon. members. Mr. Speaker, that the amendment proposed in section 2 is a highly desirable one.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Singer: No, committee of the whole House.

Hon. Mr. Meen: Standing committee I expect, Mr. Speaker.

Mr. Speaker: The standing committee?

Hon. Mr. Meen: No, committee of the whole House.

Mr. Speaker: Committee of the whole House? So ordered.

CORPORATIONS TAX ACT

Hon. Mr. Meen moves second reading of Bill 169, An Act to amend the Corporations Tax Act.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: No, I'm sorry, I'm just leaving.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: This bill, of course, is a companion piece to Bill 168. In it we have the provision in the Corporations Tax Act that the tax imposed under the Land Speculation Tax Act, 1974, will not be deductible in computing income of a corporation.

The member for Downsview, in his comments on Bill 168, which we have all just heard, reviewed the various points with respect to the deduction and the matters raised at the time of the initial debate on Bill 25. I certainly don't intend to repeat them here, because my colleague for Downsview has given our point of view as to not only what happened then but also what is happening now.

The matter of these deductions is something which comes as a result of the recent discussions and decisions made between the federal and the provincial authorities and I don't think there is any requirement to say anything further on the bill at this time.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, I have said all I wish to say on the companion bill; it simply carries it out in terms of the Corporations Tax Act.

I want to inform the Speaker and the minister that my colleague, the hon. member from Riverdale—it's our problem, I know, but he is on this unfair practices committee; I'm going to go down there now—wanted to say a few words, he told me, about the Land Speculation Tax Act and this one. For that reason only I would ask the minister to permit it to go into committee along with the other one. If he has anything he has to say about it, then at least he has that opening left. I would ask the minister to help us in this particular regard. We can't be two places at once

Mr. Speaker: Any further comments before the minister speaks? The hon. minister.

Hon. Mr. Meen: Thank you, Mr. Speaker. As the hon. members have indicated, this is a companion piece. We are convinced that under the Income Tax Act of Canada and Canada Corporations Act, and likewise under our provincial Corporations Tax Act, this kind of expense would be deductible to such an extent that it is appropriate therefore that we should amend our own Corporations Tax Act to make it expressly not deductible in line with the principle which we are now following and which the federal government has indicated they are taking with respect to the Acts which they administer.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Hon. Mr. Meen: Committee of the whole House.

Mr. Speaker: Committee of the whole House.

Agreed.

Clerk of the House: The second order, House in committee of the whole.

LAND SPECULATION TAX ACT

House in committee on Bill 168, An Act to amend the Land Speculation Tax Act, 1974.

Mr. Chairman: Are there any questions, comments or amendments? If so, what section?

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, on section 1.

Mr. Chairman: On section 1, the hon. member from Kitchener.

On section 1:

Mr. Breithaupt: I would appreciate receiving from the minister at this time the calculation as to the deduction of this rate from 50 to 20 per cent. I think it would be worthwhile to have the mechanics and the reasoning for this rate on the record so that we are aware, and the public is generally aware, as to the means by which this 20 per cent rate was struck.

Hon. Mr. Meen: I could have sworn the hon. member was in his seat when I just gave it, Mr. Chairman, but in short the 20 per cent speculation tax, when added to the absolute maximum rate of 61 per cent, which arrives at a personal taxable income level of something like $55,000, will then derive a total of 81 per cent, which was the amount shown in the Treasurer's budget statement of April 9. That's the reason for arriving at the 20 per cent figure. Actually, I would suppose that the vast majority of individuals who are involved in transactions of this sort are well below the $55,000-a-year personal taxable income level and their rate then would be somewhat below the 81 per cent. But that was the basis upon which the Treasurer (Mr. White) had proceeded as well. We were aiming at meeting that figure without giving away the store, so to speak.

Mr. Breithaupt: Thank you, Mr. Chairman. I was otherwise occupied when the minister had given that information and I appreciate hearing it again.

Mr. Chairman: The hon. member from Downsview on section 1?

Mr. V. M. Singer (Downsview): No, section 2.

Section 1 agreed to.

On section 2:

Mr. Singer: Yes, on section 2, Mr. Chairman, the minister hastened to point out to me that he wasn't getting a new discretion and that my interpretation of his raised eyebrows was, in fact, incorrect. Well, he's doubled his discretion. He had a discretion under section 6(a) and he now extends it to a discretion under section 6(b). So he has taken a new discretion, no matter how he phrases it.

We said as many times as possible, when this Act was going through, that we objected to the various discretions being given in a taxation statute. I thought it was appropriate, Mr. Chairman, to talk about the discretion in 6(a). The minister says I didn't specifically deal with 6(b) and in that he is correct, but it is an extension of the principle which we find abhorrent in a taxing statute.

It would seem to me, if the minister is going to take it upon himself to say he doesn't believe that the price for which this land is sold is a true price but is, in effect, the price artificially or unduly reduced, then there should be some onus on the minister to prove it, whether he is asserting this right under (a) or (b). It should be in some form whereby the person whom he is disbelieving or the corporation whose statement he is not accepting has an opportunity to know the case that he is being faced with and has a tribunal before which that can be argued, where he can see the minister's case in either (a) or (b) and have an opportunity to be heard and to cross-examine.

The way this is phrased—and it was bad enough when only 6(a) existed—it's doubly bad now because there are 6(a) and 6(b) which give him an additional discretion. If the minister decides that the transaction was set up in order to artificially or unduly reduce the price, all that has to happen is an exercise in ministerial discretion where this is said. Then whatever onus there is is shifted to the vendor or the purchaser. The onus is off the minister.

For those reasons, Mr. Chairman, notwithstanding the minister saying it was already in the Act, we will continue to oppose it because we oppose this kind of exercise in ministerial discretion in a taxing statute. A taxing statute should be definite if any statute should, and the whole efficacy of those statutes should not depend on the often obscure exercise of ministerial discretion.

Mr. Chairman: The hon. minister.

Hon. A. K. Meen (Minister of Revenue): Mr. Chairman, I find it difficult to understand why the member for Downsview is objecting to this section. Certainly it's an application of the right to reassess if it should come to the ministry's attention under subsection (b) that an action technique I referred to called "stuffing" has taken place. There may be other techniques that fertile

minds will dream up over the year, through the use of shareholdings and the dealings in shares rather than the disposition of real estate itself in the direct sense.

All subsection (b) does is import into section 6 the authority to reassess in the event that that occurs. It takes nothing away from the right of the parties to appeal, according to the mechanism set out in section 10 of the Act. If the member would care to take a look at that, he will see the appeal procedue that applies just as readily to subsection (6) of 6 as it does to subsection (a). Subsection (a) is a restatement of the old section 6. Sections 9 and 10, with objection to assessment, and section 10, the mechanism before the courts, are untouched in the Act. The same procedure applies there as applied in the section before.

Mr. Singer: Mr. Chairman, I am not going to let it go at that. The minister seems to think if they bulldozed a section through the House one time they can then say it is good because they bulldozed it through the first time.

Let me read him certain extracts from the debate relating to section 6 as they took place when the bill was going through the House.

The debate on the section revolved around the concepts of avoidance and evasion in law. It was pointed out that avoidance of the tax is proper and legal. However, this section with the marginal note "avoidance" allows a collection of tax on the basis of a full value of the designated land where the value is considered to have been artificially or unduly reduced. The minister defended the use of "artificially" and "unduly" by referring to a like usage in section 55 of the Income Tax Act.

At that point, Mr. Chairman, I commented that what the minister seems to have said, just a few moments ago, is that if someone avails himself of the provisions of those parts of section 1 and puts himself in the position where he can avoid a tax, and the minister comes to the conclusion that the taxpayer may be reasonably considered to have artificially or unduly reduced the amount of the taxable value of the designated land that he has disposed of, the taxable value shall be computed as if such reduction had not occurred.

And to refresh the minister's memory, I would suggest that he look at pages 2566 and 2567 in Hansard of May 28. My colleague, the member for Sarnia (Mr. Bullbrook), said this:

> I want to bring to the attention of the minister and all members of the House the fact that the minister seems to rely upon the efficacy and equity of section 55 of the Income Tax Act. That section relates to the computation of income.

And further along:

> In other words, section 55 of the Income Tax Act does not affect the liability for tax. What you have done is plucked it out of the federal Act and applied it to the taxable value of the land, which you define in your first section. But what you are saying here now, by plucking out that statute, is that if you unduly create a taxable loss with respect to the disposition of designated land—over which you might sometimes have no control at all, may I say—then you are deemed to have disposed of it at a taxable value that it had, notwithstanding that the loss was suffered as a result of the disposition.

And the member for Sarnia goes on to say:

> I don't think you can pluck that section out and relate it to the taxable value of the land.

That's in Hansard. It should be noted, Mr. Chairman, that section 6 was approved on a vote of the House 53 to 29. It has no more efficacy in our opinion today than it had on May 28. It's a bad section. Adding subclause (b) to it now makes it doubly bad. It's an improper exercise of discretion. It's a bad principle in the taxation law; and we continue to oppose it.

Mr. Chairman: Is there any further discussion on section 2? Shall section 2 carry?

Mr. Singer: No.

Mr. Chairman: All those in favour of section 2 will say "aye." All those opposed will say "nay." In my opinion the "ayes" have it.

Mr. R. Haggerty (Welland South): Do you want a hearing aid?

Section 2 agreed to.

Mr. Chairman: Are there any further question, comments, questions or amendments to any other section of the bill?

Bill 168 reported.

CORPORATIONS TAX ACT

House in committee on Bill 169, An Act to amend the Corporations Tax Act, 1972.

Mr. Chairman: Are there any comments, questions, or amendments to any section and if so, what section?

Shall the bill be reported?

Bill 169 reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report two bills without amendments and asks for leave to sit again.

Report agreed to.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 169, An Act to amend the Corporations Tax Act, 1972.

Bill 168, An Act to amend the Land Speculation Tax Act, 1974.

INDUSTRIAL SAFETY ACT

Hon. Mr. MacBeth moves second reading of Bill 163, An Act to amend the Industrial Safety Act, 1971.

Mr. Speaker: The member for Welland South.

Mr. R. Haggerty (Welland South): Mr. Speaker, we concur with the principle of the bill and the amendments. But dealing with safety in the Province of Ontario, I've mentioned to the minister on a number of occasions the number of accidents that do occur in industry throughout the Province of Ontario, and what little input there is with regard to safety measures from those employed in the industry. I was just wondering if the minister has given some consideration now to move in a direction where those employed in industry will have some say and voice in safety matters.

In particular, I'm thinking that amendments should be made to the bill to indicate that when a safety committee is established within an industry they do have an input into all safety matters and that they are protected under the laws of the Province of Ontario.

I suppose if we wanted to we could get into the Mining Act and other matters of safety in the Province of Ontario, but those employees in industry have no say in safety whatsoever. Now this bill perhaps indicates that the government is making some amendments here to the benefit of those employees and employers, but with little input from the persons employed in the industry. I would like to say to the minister that I would like to see some legislation brought into the House providing that where a safety committee is established in industries there shall be an equal number of employees and employers involved. In other words, if there were 10 on a safety committee, there would be five from the labourers in the industry and five from management.

I say to the minister that when his inspectors move into a plant or industry in Ontario they should go directly to the safety committee, and have the input of those persons employed in the industry in matters of safety. Too often the Province of Ontario inspectors do go in, but perhaps they don't contact the right persons.

I could go into more detail with specific matters, but I suggest to the minister that if he wants to cut down on the number of accidents in the Province of Ontario, then for God's sake he should let the man working in industry have some input into the safety legislation. It's no use going to the IAPA; they're not getting in touch with those persons working in industry. So I suggest that the minister take into consideration the employees in an industry and give them some voice in safety matters.

Mr. Speaker: Any further comments on this bill? The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Thank you, Mr. Speaker. This is a bill that was the result of a good deal of discussion that took place with the safety committee of the Ministry of Natural Resources, I'm told; or was it the safety committee of the Ministry of Labour?

Hon. J. P. MacBeth (Minister of Labour): The Labour Safety Council.

Mr. Stokes: The Labour Safety Council; well all right. I had some discussions several months ago when there was some indication that this administrative change would be made, to repeal the Loggers' Safety Act and to put it under the umbrella of the Industrial Safety Act of 1971. There was a good deal of concern among those who are actively involved in logging, and in particular the lumber and sawmills workers' union, which felt that they had competent people within the Ministry of Natural Resources dealing with safety in their industry. At one time the Loggers' Safety Act did come under the umbrella of the Ministry of Natural Resources and it seemed to be working fairly well when that ministry had people monitoring the situation for any unsafe practices or unsafe situations.

Now I question very strongly, Mr. Speaker, changing the responsibility for logging safety to those who would be responsible

for administering and monitoring the situation in the workplace under the Industrial Safety Act. I'm not absolutely certain that the ministry has people who go out on a regular basis to inspect what is going on in any of these operational setups in the bush where they're many miles, in most instances, from any habitation. The people who are charged with the responsibility of seeing that the workplace is safe are not at all satified that this is the right move to make.

I am particularly concerned, Mr. Speaker, with section 3, subsection (2), which reads:

> Notwithstanding subsection 1, and except at a place where logging is carried on, any person who under a contract with an employer or owner of an industrial establishment supplies the employer or owner with a machine or device and a person or persons to work in connection with the machine or device shall, for the purposes of this Act, be deemed to be the employer of the person or persons supplied.

This means that if we have, say, the prime licence holder, which is company A, working in a particular place and for some reason or other it finds it necessary to lease or to rent equipment from a third party, it means that it can move that machinery and the personnel to operate it in the workplace, and automatically a new employer becomes injected into the situation.

It no longer is the traditional employer, the employer for the implementation of this new Act, An Act to amend the Industrial Safety Act. We have, in effect, another employer by virtue of the fact that he is working under contract and is the owner of the machinery that has been rented or leased.

This tends to circumvent, for all practical purposes, the provisions of any collective agreement entered into between the authorized bargaining agent—which in this case would be the lumber and sawmill workers' union — and the traditional employer. The traditional employer might be Kimberly-Clark, it might be Great Lakes, it might be Abitibi, or any one of a number of employers whose chief aim is to harvest timber, for whatever reason—whether it be for saw logs, whether it be for pulp and paper, plywood or whatever. However, the representatives of the men and the men themselves see section 3, subsection (2) as a means of circumventing the provisions of a collective agreement where, in effect, by the implementation of this Act, a third person is deemed to be the employer; thereby, as I say, circumventing the terms of a collective agreement.

I am just wondering why it was necessary to put that in, Mr. Speaker, if I could get that kind of a response from the minister.

I object to the bill on two counts. One is that I am not altogether convinced there will be the kind of monitoring that is necessary to keep the workplace safe, the kind of monitoring that has generally been done under the former bill, the Loggers' Safety Act, where I haven't had too many complaints from either people right in the workplace or from their representatives about the monitoring of all safety aspects dealing with logging. To suggest that it will be done much more efficiently under the Industrial Safety Act, I am told that that is not likely to happen.

I do have those two objections to the bill and perhaps when we get to clause by clause we may get into it in a little bit more detail. Those are all the comments I have on second reading, Mr. Speaker.

Mr. Speaker: Do any other hon. members wish to speak to this bill? The member for Victoria-Haliburton.

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, this bill, as I understand it, doesn't really change from the Ministry of Natural Resources doing the job to having it handled by the Ministry of Labour. Labour has had the responsibility under the Loggers' Safety Act for more than a year or better now by an Act of this House.

The thing I don't particularly like about it, and I've said this before, is that I don't think inspectors who are set up in territories or districts and going on jobs periodically can do the same sort of job the Ministry of Natural Resources was able to do when it had been already on the job, usually for marking timber, for scaling or for all the phases of their operation in the forest.

The other thing is that it will be absolutely necessary to have a certain amount of inspectors with the ability to talk safety language in French as well as English. I think this puts a responsibility on the department to have some inspectors in the northern part in this regard.

Another thing that I think is very important is the consultation about this between the Labour Safety Council, the Forest Products Accident Prevention Association and the Ontario Pulp and Paper Makers Safety Association as well as the industry. I understand this has taken place. I do believe we need

this bill in order to do the job that is at hand. I know the minister's staff cannot work without this bill. I think it is very urgent and I urge the members to agree to the passing of it.

Mr. T. P. Reid (Rainy River): Mr. Speaker.

Mr. Speaker: The member for Rainy River.

Mr. Reid: I have just a few comments to make on the bill.

I was shocked by the statistics that were revealed during our discussion of the estimates of the Minister of Labour and the Industrial Safety Act. I was also shocked by what I feel is a wrong attitude on behalf of the director of the branch in regard to industrial accidents. His comments at that time were simply that there are so many opportunities for an accident to happen and, depending on what the law of averages seems to be this year, we're going to have accidents. It doesn't strike me, Mr. Speaker, that this is the kind of attitude we should have in the industrial safety branch.

Those members who come from the north will agree with me, I think, that probably 50 per cent to 60 per cent, if not higher, of our workmen's compensation cases are back injuries; and, I hate to say this, but most of them come from those people who work and have worked in the bush. There are very few lumberjacks, if we can still use that term to describe the people who do the actual cutting and logging of the timber, who at one time or another in the course of their careers do not wind up with a back injury as a result of the nature of their employment. Therefore, this Act, and the Loggers' Safety Act, which I don't feel is really as rigidly enforced as it should be, must have a really strong inspection staff and backup to make them really effective.

Once again, I would plead with the minister in particular that his inspectors under these Acts should contact the employees when they go to inspect a bush operation. The biggest complaint I get from anyone who has to deal with the Industrial Safety Act is that when the union or the employees make a complaint or ask for an inspection, the inspectors come into the plant but very often they don't contact the people who made the original complaint; they come in, make their inspection and leave. I think it's incumbent upon these inspectors to deal with the men who are most directly involved and who are liable to be injured because of hazards on the job. I think all of us realize that logging in the bush can result in many accidents and sometimes can lead to fatalities because of the nature of the work.

Mr. Speaker, I have one particular question I hope the minister will respond to. It deals with section 4(3) of the Act. I know we may go over this in committee, but it seems to me I'd like to know for the record exactly what the Act does apply to. If it doesn't apply to the Crown Timber Act or the Forest Fires Prevention Act, I wonder what there is left for the Act to apply to—unless I misunderstand that particular clause in the Act.

I suggest to the minister that we will support the bill. It's obviously been operating under the Minister of Labour for some time, in any case. But we would ask for rigid enforcement of the provisions under it.

Mr. Speaker: Any further comments on this bill before the minister replies? If not, the hon. minister.

Hon. Mr. MacBeth: Thank you, Mr. Speaker. Obviously, the purpose of this Act is to try and improve the safety measures which our ministry is presently carrying out.

The Loggers' Safety Act is this little blue book, which has specific conditions in it. We wish to repeal this small Act and put it under the Industrial Safety Act, where there is more specific responsibility on the employers. The Industrial Safety Act sets standards which are easier to apply and to enforce than the specific sort of things under the Loggers' Safety Act. It is in the hope that we can produce greater safety in the logging industry that we are putting these two Acts together.

There is also the problem in the lumbering industry of one operation automatically leading into another operation; where the actual end product is say plywood, the last operation may be under the Industrial Safety Act and the first operation under the Logging Act.

In regard to the questions raised by the member for Welland South, this is one place where we have consulted very closely with the unions involved. They are represented on the Labour Safety Council and it is the lumber and sawmill workers who have representation on that. They, as well as management, are all in agreement that this is a desirable thing to be done and that we should do so. In fact we have promised that we would proceed with it as quickly as possible.

I note what the member says about employees generally having a voice in safety, and I agree wholeheartedly with it. Unless we make the employees more safety con-

scious, I think we are going to be in continual trouble. They are the ones who know best where dangerous situations exist, and perhaps what can be done about them. So I agree with that. As I say, this is one case where I understand that what the member wants done has generally in fact been done.

There was a suggestion that it was not operating too badly under the former Department of Lands and Forests. We took it over some time ago, as members know, when Lands and Forests was transferred to the Ministry of Natural Resources. We've been operating it since that time under the Ministry of Labour, but we have depended a great deal on co-operation from the Ministry of Natural Resources to tell us where some of these operations are going on and to keep us informed.

So my note here is that even though the responsibility for logging safety is with us, the staff of Natural Resources are and will be used locally to make some of these safety checks. That doesn't mean our people will not be going in too. Our people will be there, but we will be working very closely with the Ministry of Natural Resources.

There was a question from the member for Victoria-Haliburton in regard to the need for French-speaking inspectors. I understand that two of our inspectors in the north at the present time do speak French and that we have two of them who are improving their French, or trying to learn it so that they will be of assistance.

There was the question in regard to where responsibility lies for equipment. My note on that reads this way; that the general law is that the lessor of a machine and its operator remains the employer. The amendment to this section excepts logging operations from this general rule as legislated by section 52. This is an exception and this exception was required by the Labour Safety Council to preserve liability imposed on the logging operator, for those under his control. It is to try to retain the controls where we think it is best that that exception will be legislated; so that the responsibility can remain with the operator himself.

The note that I have underneath that section reads: "Certain activities in logging are subcontracted with the operator provided but no supervisor. Therefore, supervision is always the duty of employer in the case of logging operations." We want to keep the responsibility with the employer where we think it properly belongs.

Those are the replies I have for the questions asked. I put it forward on the basis that it will help to improve safety in the logging industry.

Mr. Reid: I am not sure about section 4, unless that was just what the minister was explaining. It sure confuses me. Who is covered by subsection (3) of section 4?

Hon. Mr. McBeth: I understand in case of a fire or things of that nature that if they can't comply with all of the regulations that we would ordinarily want to comply with because of the emergency operations, they are therefore exempt. That's my understanding on that one.

In other words, we set down rules for notification and standards, and if there is an emergency in the way of a forest fire, naturally we think it is more important to get this fire out than comply with all of the various regulations.

Mr. Stokes: Than safety?

Hon. Mr. McBeth: I think that we are in those cases suggesting that maybe putting the fire out is more important than complying with all of the safety regulations. Now that can be questioned, I suppose. I don't know whether my staff have any more information for me. I think they are giving me signals that they have some further words on that point.

Mr. Reid: Maybe I could talk to the deputy minister.

Mr. Stokes: Could I ask the minister a question? He was talking about section 5, subsection (2) and I was asking about section 3, subsection (2). Is he saying in his explanation that wherever there is a lessee of equipment, that the responsibility for implementing the Industrial Safety Act remains with the licence holder rather than the lessor of logging equipment?

Hon. Mr. MacBeth: That is my understanding.

The exemption under section 4 of the bill is in respect of notice only, otherwise the Act applies. I thought it went further than that, but I am corrected; so that I say in the case of an emergency all we are exempting are notices.

Mr. Stokes: That sounds better.

Hon. Mr. MacBeth: I thought it went further than that, but I have been corrected, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Motion agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 163, An Act to amend the Industrial Safety Act, 1971.

Clerk of the House: The second order, House in committee of the whole.

DOG LICENSING AND LIVE STOCK AND POULTRY PROTECTION ACT

House in committee on Bill 143, An Act to amend the Dog Licensing and Live Stock and Poultry Protection Act.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Chairman, I have an amendment to the bill. It simply adds another section to the bill. I have copies here for the Clerk and the other parties.

Hon. Mr. Stewart moves that sections 7, 8, 9 and 10 of the bill be renumbered as sections 8, 9, 10 and 11, respectively, and that the bill be amended by adding thereto the following section:

7. The said Act is amended by adding thereto the following part:

Part III: Damage to Honey-bee Colonies by Bears:

23 (1) Where a colony of honey-bees is damaged or destroyed by a bear, the commissioner, upon the application of the owner of the colony, may pay compensation to the owner in such amount as he considers reasonable.

23(2) For the purpose of determining the amount of compensation that may be paid under subsection (1), a commissioner may appoint a valuer to make an investigation, and the valuer so appointed shall make an investigation and shall make his report in writing within 10 days thereafter to the commission, together with his recommendation respecting compensation.

23(3) No payment in respect of a colony of honey-bees shall exceed (a) $50 for the hive equipment; and (b) $25 for the honey-bees.

Mr. Chairman: Shall this motion be carried?

Motion agreed to.

Mr. J. Riddell (Huron): Mr. Chairman, we will certainly support the new section that is being added to Bill 143. It is certainly very similar to the other sections, inasmuch as compensation is being paid now for livestock or poultry injured by wolves and dogs, and it's simply been extended to include compensation for colonies of honey-bees that have been destroyed due to bears. Certainly we will support that amendment.

Mr. J. P. Spence (Kent): Mr. Chairman, I certainly approve of the amendment in regard to bears destroying honey-bees, and I must say that I'd like to ask a question in regard to poultry destroyed by dogs. In most of the townships they have to have 50 lb of dead poultry before a farmer or poultry producer receives any compensation for birds destroyed by dogs. I might say that this new breed of hens only weigh 2 to 3 lb, sometimes less, and it takes quite a few birds to make up 50 lb.

Also, in regard to Indian reserves, dogs come off reserves and they travel maybe two or three miles, and of course an evaluator is unable to go into the reserve if he can't get the dog. I know that in a number of areas there are no sheep produced close to reserves. Of course it is going to be quite a problem to deal with this, because you'd have to deal with the federal government, I would expect. It is a hardship on some of those farmers who would like to produce sheep but on account of the dogs coming out of the reserves there is a great risk that they'd destroy a whole flock.

We have, in our area, one farmer who has $100,000 fire insurance on sheep. So this is quite a risk. It's been brought to my attention, and I wonder if the minister has anything to say about coping with this situation.

Hon. Mr. Stewart: Mr. Chairman, I can appreciate the problem referred to as far as dogs on reserves are concerned, but I think the problem also applies to dogs in urban municipalities. Many people are very critical of the fact that it is difficult to maintain a flock of sheep under normal circumstances close to large urban areas because of the number of dogs that are running at large in those areas.

But it's not quite confined to either urban urban areas or Indian reserves; it's also a matter that there are hybrids or wild dogs,

that are also causing some real problems in certain areas of the province.

So, when one looks at the amount of money that is collected by the municipalities under the dog tax Act and then looks at the amount that has been paid out for damages to livestock or poultry, in some of the municipalities at least, it wouldn't appear that it's a burden that is unbearable as far as dollars are concerned. But it certainly is a problem to the farmers involved. I don't really know how one controls the dogs on a reserve any more than one does in an urban area.

I suppose the amendments that have been made to the Act, which are included in section 1 of this Act before us today, vastly increase the authority of the local dogcatcher insofar as enforcing the dog control legislation is concerned. But I haven't any comment to offer other than that.

The 50 lb minimum on poultry lost is of concern, but I think that most of the laying flocks in this country are under confinement now. The losses that we have heard about have been in connection with ducks or geese or wild fowl that are being raised for commercial purposes of one kind or another. So there is a little difference in the value of those kinds of birds rather than in the value of a straight laying bird of the hybrid species, which admittedly is not very heavy and yet is of pretty substantial value as far as a producer is concerned.

Mr. E. R. Good (Waterloo North): I have a question that maybe the minister would answer for clarification; it would apply also to this amendment. When damage was paid under the old Wolf Damage to Live Stock Compensation Act, I understood the province reimbursed the municipality for payment made. The province paid direct.

Hon. Mr. Stewart: Mr. Chairman, under the old Act, the Wolf Damage to Live Stock Compensation Act, the province paid direct to the producer for the loss. The loss was estimated or valued by the local Natural Resources officer in the respective area. Under this legislation, the local valuer under the dog tax and livestock Act will do the valuating, the municipality will pay the farmer's claim, and then we will reimburse the municipality from our ministry for the claim paid for wolves or coyotes or for a hybrid dog.

Mr. Good: Will this reimbursement by the province apply to damage either by wolves or dogs or bears, as well, in this amendment? Is that correct?

Hon. Mr. Stewart: No, not by dogs.

Mr. Good: Well, this was the point I wanted clarified and I don't think that's been made clear.

Hon. Mr. Stewart: Well, it's as clear as it can be. The old Act has not been changed in that regard. All this does, and all we have added in these amendments, is to cover a wolf or a hybrid cross between a wolf and a dog. That's what we will pay for; the dog damage will still be paid for by the municipality. But if the valuer says the damage was caused by a wolf, then the clerk of the municipality submits an account to the livestock commissioner and we reimburse him. That's how it's done.

Mr. Good: If it's bear damage, do you pay that too?

Hon. Mr. Stewart: Under the bear damage, we pay it direct. The municipality doesn't pay it. In this case the amendment reads: "The commissioner, on the application of the owner of the colony, may pay compensation to the owner in such an amount as he considers reasonable."

So the municipality won't have anything to do with this. But my guess is it will be the same value; I would say it would be, anyway, the same value for both cases, because these will be so rare that we think the same person can do it.

Bill 143, as amended, reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again.

Report agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 143, An Act to amend the Dog Licensing and Live Stock and Poultry Protection Act.

PRIVATE MEMBERS' HOUR

MINISTRY OF GOVERNMENT SERVICES ACT

Mr. Burr moves second reading of Bill 94, An Act to amend the Ministry of Government Services Act, 1973.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, the principle of this bill is to ensure that handicapped persons are employed by all persons with whom the government of Ontario enters into contracts or agreements in excess of $2,500.

A few remarks on the background of this Bill 94 may be useful. Every member of this Legislature knows of cases of handicapped or disabled persons who simply cannot obtain employment unless they are lucky enough to have a friend or a relative in the position of an employer, or fortunate enough to catch the eye or the attention of some compassionate employer.

These handicapped or disabled persons have not only their handicap or their disability to overcome, but also the hurdle presented by an employer's fear of taking on a poor risk who may very well increase the costs of his Workmen's Compensation Board payments. Persons with congenital deformities usually have even greater difficulties in finding employment. It is true that many employers have made provision for giving employment to the handicapped; efforts that are much appreciated by those who are aware of their attitudes and their actions. But the time has come—in fact it's long past due—to insist that employable handicapped or disabled persons be given an opportunity to enjoy the dignity of performing useful labour.

With all this in mind, Mr. Speaker, last year I introduced a private member's Bill, Bill 123, a bill to amend the Employment Standards Act, which would have required an employer of 20 or more persons to hire one handicapped person for every 30 employees on his payroll—that is, the 20th, 50th, the 80th, the 110th and so on. Bill 123 did not reach private members' hour last year, but many people heard about it in different parts of the province and I received some very pathetic letters from handicapped persons.

In my annual report to my riding I described the bill and, among other questions, I asked for the opinion of my constituents on this bill. Seventy-five per cent of those replying favoured it, 15 per cent opposed it and 10 per cent did not express an opinion.

Last year's Bill 123 was based on the Disabled Persons Employment Acts of 1944 and 1958 in Great Britain. There it was recognized that experience has shown that the great majority of the disabled can take their place with others in ordinary work, provided that their occupations are chosen carefully. Consequently, these Disabled Persons Employment Acts in Great Britain were introduced to assist men and women who were handicapped by disablement to get employment or work which is suitable for them, and which makes the best use of their skills.

To ensure that the disabled get their fair share of opportunities for employment, those Acts provide for the registration of disabled persons, placing upon employers an obligation to employ a quota of registered disabled persons and to reserve vacancies in certain occupations for those registered as disabled. Ontario's then Minister of Labour, the hon. Fern Guindon, was sympathetic to the purpose of Bill 123 last year and expressed his intention of making inquiries into the workings of the British system on his next trip to the United Kingdom, which he expected to be making soon. Unfortunately, the minister resigned before he was able to carry out his intentions.

A few months ago I met Mr. Bernard Posner, executive director of the President's Committee on Employment of the Handicapped, located in Washington, DC. He told me about section 504 of the United States Vocational Rehabilitation Act of 1973, which approached this problem from a slightly different angle. According to this legislation, which was being implemented in the United States, any company receiving a federal government contract must prove that it has a positive programme for employment of handicapped persons.

Since the Ministry of Labour has made no move as yet to increase the opportunities for the handicapped to gain meaningful employment by amending the Employment Standards Act, I have introduced Bill 94 this year in the hope of appealing to the Minister of Government Services (Mr. Snow) to give consideration to this problem. In this way two members of the cabinet may have this matter on their minds and on their consciences.

Discrimination against those who do not enjoy excellent health shows signs of increasing rather than abating. A recent example of this involved a woman in her forties who had worked for 18 years as an efficient, highly skilled secretary with a large company. By chance her employers learned that she was an epileptic. She was told that despite her

excellent record she could continue with the company but only on a temporary basis, without such fringe benefits as group insurance or the company pension plan. Other epileptics have similar stories to tell: Even though they have never had a seizure at work they are fired when their employer learns of their ailment.

Not so long ago a Windsor girl, whose epilepsy is apparently under control, was refused employment because she was honest enough to volunteer the information about her epilepsy. As it turned out, the job for which she was applying did have an element of danger. In this case the prospective employer helped her to find another field of employment, but this case seems to be an exception to the trend towards discrimination.

Just this weekend, Mr. Speaker, I heard from another epileptic, a young man who had been working for a large company for 10 months. Someone informed the manager that he was an epileptic. Although he had never had a seizure at work he was called into the office and told—and I quote: "What you have is bad for business." He was laid off and has had difficulty gaining employment ever since.

Dr. Keith Meloff, vice-president of the Toronto branch of the Ontario Epilepsy Association, calls such treatment of epileptics "discrimination" and urges that it be made illegal. The Toronto Star supports Dr. Meloff, pointing out that the Ontario Human Rights Code prohibits discrimination in employment on several grounds, including age, colour, creed and marital status, but does not mention physical disability.

Handicapped persons do not want charity. In fact, it is charity that they are seeking to avoid. What they want is an opportunity to participate in the useful work of the community. Nor do they expect to be paid a full day's pay for a half a day's work. They want equal opportunity, not special favours.

Perhaps one reason that there are not more employers interested in giving handicapped persons job opportunities is the fact that very few employers are aware that they may hire a handicapped person functioning below the standard for a job and, with the minister's approval under the Employment Standards Act, may pay the handicapped employee a percentage of the wage equal to the percentage of the normal productive standard at which the handicapped employee is functioning.

It is also possible for a handicapped person to be hired for training on the job for one year and the employer may receive up to 50 per cent of the wages for that person.

The former Minister of Labour, officials in his department, and our present minister all have some concern about this problem. I'm aware, of course, that there are difficulties in defining who are the disabled and who are the handicapped. There are problems in determining whether various jobs would present hazards to the handicapped persons themselves and whether the handicapped persons might cause any hazard to other employees. There are of course difficulties, but they can be overcome.

What is the size of the problem that we are discussing today? Unfortunately, there are no accurate or even estimated statistics on the number of disabled, employable disabled, or those disabled already employed in the Province of Ontario.

The rehabilitation branch of the Ministry of Community and Social Services has made no research attempt to estimate the number of disabled persons in the general population and can only give us statistics on the number that they are dealing with annually. At present, approximately 9,000 persons are being handled by the rehabilitation branch each year in Ontario. There are approximately 4,400 new referrals each year. Of these, the rehabilitation branch succeeds in placing approximately 1,700 in some kind of employment, depending upon their disability.

There have been two major studies of which I'm aware that have tried to locate the disabled in a national population. One, in the United States, for the Department of Health, Education and Welfare, called "Analysis of Statewide Planning Reports for Rehabilitation." This study found that 3.43 per cent of the national population could use some kind of vocational rehabilitation, meaning that they were potential employables. However, the study included the culturally deprived in their definition of disability. Although this is an interesting inclusion, I don't think that the percentage figure is readily applicable to Ontario for our purposes.

The British study by Emelia I. Harris entitled "Handicapped and Impaired in Great Britain," found that of the adult population between the ages of 16 and 64, 3.22 per cent of the population had some kind of disability or handicap; 2.24 per cent of these were actually employed; and 0.75 per cent were virtually unemployed because of severe disability. This would mean that in Britain only 0.23 per cent are employable but un-

employed, and this, Mr. Speaker, may be a mark of the merit of the United Kingdom's legislation in this respect.

If these percentages were applied to the Ontario population between the ages of 15 and 64 contained in the Ontario Statistical Review, 1971, the following figures would result:

The total population of 1971 between 15 and 64 was 4,850,600. The total population estimated to have some disability—that is, using the figure of 3.22 per cent—would be 156,190. The total population, severely disabled and unemployable, 36,380. The total population with some disability, but employable, 119,810. And the total population with some disability who are employed, 108,653. This leaves us, Mr. Speaker, with approximately 11,000 employable disabled who are unemployed.

These figures must be considered as very tentative since there is a vagueness in the British definitions of disability and employment and it is extremely difficult, if not impossible, to apply figures from one country to another. Britain also poses additional problems in this way, since its wartime casualties with lifelong disabilities are much more numerous.

Bill 94 stipulates that any employer who has a contract exceeding $2,500 with the provincial government must have a positive programme that shows an interest in helping the handicapped by providing job opportunities. The Ministry of Labour, the Ministry of Government Services and the Human Rights Code may all provide avenues of approach for helping to provide meaningful work for the handicapped and the disabled.

Legislation by itself cannot solve the problem. But it can certainly help to draw the problem to the attention of managers, personnel directors and employers. Public discussion, such as we are having in this private members' hour today, may be of assistance too.

Whatever the most effective method turns out to be, I urge those members now present in the House to support Bill 94 as a means of commending to the government of Ontario and to employers in this province, both large and small, the urgent need to give the handicapped and disabled citizens of this province opportunities to obtain and enjoy independence, dignity and self-esteem through useful employment.

Mr. Speaker: The hon. member for Oshawa.

Mr. C. E. McIlveen (Oshawa): Mr. Speaker, in rising to take part in this debate, I can't support the bill the way it is now written, although the general purpose of the bill of helping handicapped is certainly laudable.

The vast majority of handicapped people want to work their way through life and not be a burden in terms of public welfare, and they want to contribute their fair way to society. But I can't help but think that if we put through a bill of this type that we tie the handicapped up in such red tape that rather than help them, we would do a great deal to hinder them.

This afternoon, I want to tell about an experience of our own select committee on utilization of educational facilities with the handicapped at the first public meeting that we held in Thunder Bay. It was a cold night in the middle of February when we arrived at a high school for a public meeting that we had publicized.

When we got off the bus there were 21 people in wheelchairs at the foot of the stairs. They wouldn't hear of anybody carrying them up the stairs except members of the select committee.

I can remember the member for Windsor-Walkerville (Mr. B. Newman) was there that night, and so was the member for Lambton (Mr. Henderson). The biggest handicapped person waited for the member for Lambton and myself. I guess he weighed about 240 lb. There were 53 stairs, I remember, to go up. At the top of the stairs, we had to go down 17 stairs, along a hall and up 12 more stairs to where we were meeting.

When the person who was speaking for the handicapped got up to talk about his brief, the chairman said, "You don't need to read your brief. We'll recommend that facilities be put in for the handicapped." We came back and made that recommendation to the Legislature; following that, the government picked up the recommendation. I don't know whether our committee had anything to do with the recommendation coming into force, but certainly it helped.

Regarding this particular bill, how are we going to judge the handicapped How are we going to express the percentages that we want? What type of handicaps is he going to consider? The types that I find fall into two categories. One is the mentally handicapped, who are every bit as important as the physically handicapped. The physically handicapped also fall into a lot of other subgroups. Most certainly a person who is hard

of hearing or aurally handicapped has to be taken into consideration. Then there are the visually handicapped. One would have to scale all these.

The member for Sandwich-Riverside made a point about the epileptic being handicapped. I can think of a number of other diseases. Even the diabetic could be discriminated against by certain employers because of his medical condition. I can think of lots of the arthritides that could be certainly discriminated against because of their handicap. How are you going to judge these handicaps, Mr. Speaker? Are you going to put them in a five, 10 or 15 per cent category? We'd have the same problems as the compensation board only multiplied many times over.

I feel that we should develop a much more positive approach and work through the Ministry of Labour and through the Ontario Human Rights Commission and make sure that it is written out in the legislation that these people can't be discriminated against, the same as by age and sex. I was talking to the Minister without Portfolio responsible for the Youth Secretariat (Mr. Timbrell), before the meeting. He said that in the member's own riding of Sandwich-Riverside one of his own people who is a handicapped person was quite active—and that's Rosemarie Commisso—in his ministry last summer as one of his help.

Mr. B. Newman (Windsor-Walkerville): She lives in my riding. She lives in Windsor-Walkerville and is a very capable young lady.

Mr. McIlveen: Yes. This is the type of person we should be encouraging to get to come along, but we should offer them opportunities and not to try to force something down somebody's throat.

He also tells me he had a very active programme where he had four handicapped people acting as a task force last summer to report back to his secretariat. The report is now in and his secretariat is pursuing the recommendations through all government ministries. This is the type of positive approach that I would like to see. He also tells me that in Experience '75 they removed the "handicapped" title in the application form and the jobs will be on the ability to do the jobs.

Most certainly the people that I have seen in my practice who are handicapped, and physically handicapped, have no end of ability. They have all sorts of ability in the world. They have the time to learn special things. They develop other senses to a very, very high degree. All we have to do is present the opportunities. I would far sooner take the carrot approach rather than a hammer to the head of any employer.

For instance, a single lawyer could easily do $2,500 worth of business with the government a year. How could one actually get that type of person to develop the skills that we want developed for these people?

There is work around for them. We have to work harder to find them work. We have to work harder to find them opportunities. I think that is going forth in the Youth Secretariat. I hope it's going forth in all ministries. I can't support the bill the way it is presently constituted but most certainly I do support the idea behind it. I think we as government should be doing much more for the handicapped than we are even at present.

Thank you very much, Mr. Speaker.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Thank you very much, Mr. Speaker. I wanted to rise to support the principle of the bill, that is: to provide employment opportunities for those who are physically and/or mentally handicapped—regardless of the type of handicap. As long as they can do certain types of operations, we should not discriminate against them one iota.

However, I do not agree with the member as far as the amount of an agreement is concerned. I don't think there should be any limit whatsoever—even if the job is only a $10 job that is tendered out. If it can be performed by a physically handicapped or a mentally retarded individual, I think that that individual should have the opportunity to perform that job.

In the first instance, Mr. Speaker, I think it's up to government to set the example. The employers always hesitate to get involved. They look and say: "Well, why should I come along and perform this job. It is essentially the responsibility of government to set an example." If government were to set an example, then I think it would find the employers would readily follow suit. They would find that the people they are employing are, in many instances, more capable of performing the work than are those who are mentally and physically alert and capable.

Any of us who have ever visited one of the A-R-C Industries in a community find that we couldn't perform the jobs that these mentally retarded people do. We couldn't come along and do it as efficiently, as ac-

curately and as well as they are doing it—simply because we would find it a little too monotonous, too dreary for us to perform those operations.

Mr. Speaker, I think that the government in the first instance could come along and take the recommendations of the select committee on the utilization of educational facilities and implement the recommendations of that committee as far as making opportunities available for the physically handicapped. I am referring to furthering opportunities as a result of physical construction of various types of governmental facilities. For example, recommendation No. 24 of the committee states:

> The government of Ontario should assure access for the physically handicapped to all community facilities through the adoption of the National Building Code, supplement 5.

I think that is the kind of thing that should be implemented. I know it is in the building code now. I made mention of it to the Minister of Consumer and Commercial Relations (Mr. Clement) when we were discussing one part of his legislation.

Now, the select committee on the use of schools also concerned itself with present facilities that are not readily accessible to the handicapped. Recommendation No. 25 says:

> The government of Ontario should provide special funds to school boards and municipalities for the adaptation of all existing community facilities to make them accessible to the physically handicapped.

The recommendation is for government to provide 80 per cent of the funding and the municipal organization to provide the other 20 per cent. Were we to come along and implement those two recommendations, we would find that many physically handicapped today could at least enter some of the buildings so that they could be gainfully employed at some of the tasks that are being performed in those buildings. But when government hesitates to come along and at least allow access to facilities to the handicapped, I think they are not acting with justice.

Mr. Speaker, just this past week—that is, one week today—elections took place throughout the Province of Ontario. In some areas the snowfall was the heaviest it had been in approximately 100 years. Yet government hasn't made provision for the physically handicapped to be able to vote in a general area or to have drive-in voting; or at least make the voting much easier for the physically handicapped. That also is an essential part of life as far as the physically handicapped are concerned.

Not all governments, Mr. Speaker, disregard the physically handicapped. For example, I think in the United States they have gone a little further than we have here and they have sort of set the example. Wherever the example is good in the United States I think we should copy it. I think we should forget about their bad features and adopt what we find can be adopted and is meritorious as far as we in Canada are concerned.

For nine years, the physically and emotionally disabled have been faced with a nearly impenetrable series of barriers when looking for a job: prejudice, insensitivity, misguided pity. Even in the design of architecture we have neglected the physically handicapped. Using their statistics and rerouting them into Canada, we would find that approximately one million Canadians have disabilities serious enough to affect them in getting a job or holding it, if we use our present criteria.

The handicapped claim that they are the invisible minority. But they shouldn't be invisible. They should be an extremely active minority and they should pressure governments at all levels and continue to apply pressure up until the time at least equal job opportunities are available to them. Their physical handicap, or their mental retardation and other types of handicaps that they may suffer, should not bar them from job opportunities.

As the member for Sandwich-Riverside did mention, the US government requires three million firms that do business with it to include disabled in their mandatory affirmative action employment programmes. They have got to have programmes to accommodate the physically handicapped. California and several other states recently included the disabled under fair employment practices laws, giving them the same protection now enjoyed by ethnic and religious minorities, women and older workers.

The disabled, Mr. Speaker, now are becoming more and more vocal. Individually and in activist groups you find them throughout the length and breadth of all countries and legislators are slowly paying attention to their special needs. Industry today is doing much more than it has in the past but it still has a very long way to go.

The human resources centre in Albertson, NY, is one of the leading rehabilitation organizations in the US. It alone has placed 200 severely disabled workers with 33 major corporations. The centre is funded by the fed-

eral authorities. It has a placement bureau and in addition to training individuals, it goes around actually finding job opportunities for them. They follow up on the individual to see if the individual is fulfilling his responsibilities, and to date they have found very few failures.

In their approach to industry, they attempt to point out to the companies that they don't look for pity. They simply want them to hire the individual on his ability to perform the services required. They are finding now in the States that the attitude toward the handicapped is gradually changing.

We hope that it could change at a much more rapid pace, so that no longer would we find those who are disadvantaged having others taking advantage of their disability.

The rehabilitation centre in a Los Amigos, Calif., hospital has placed over 100 severely disabled persons every year since its operation. In the types of people it has helped it includes paraplegics, persons who have suffered brain injuries resulting in partial paralysis or loss of speech, multiple amputees, and those with more than one type of disability. Even individuals with emotional disabilities have been taken care of and placed by the hospital in Los Amigos, Calif.

Generally, they find it depends on how an individual presents his case to an employer before he's hired. If a person comes to an employer and says, "I'm a schizophrenic." then the employer hesitates to employ him. But if the individual presents his case normally, in a straight fashion, explaining the situation and not going into the long medical terms, he finds no difficulty in getting employment.

One of the corporations in the US that really surprised me in its approach to the handicapped is Hughes Aircraft Co. in Culver City, Calif. Of the 38,000 workers that they have, 12 per cent of them—12 per cent, Mr. Speaker—have some form of serious disability. Twelve per cent of their work force is handicapped. They studied the handicapped very carefully, and it's not a cost item to them in group insurance, in workmen's compensation or in any other way. There is literally no impact on their insurance rates. Moreover, they've looked very carefully at some of the studies that suggest the opposite and they've found that all of those studies are inaccurate as far as their own employment of the handicapped is concerned.

Sears, Roebuck in the United States has a quota of five per cent of its 400,000 employees who are disabled. They say of their studies:

> We are unable to determine that our affirmative action programme of hiring the disabled has affected our overall insurance costs. We tried to develop the data, but we found there just wasn't any.

So we can see there is no statistical evidence to indicate that those who have employed the physically handicapped have to suffer as a result of increased premium charges for insurance or workmen's compensation. In fact, they find that the safety record of those who are handicapped is better by far than those who are normal in every respect.

In conclusion, I would like to say that one of the things that does disturb me is that in our province, the banner province in Canada, we still don't have any formal rehabilitation training – training to develop rehab officers. There is no community college. There is no university. There is no facility that trains rehabilitation officers who can take the handicapped and assist them in becoming gainfully employed. Anyone who is a rehab officer has learned rehabilitation by the hit-or-miss method, by applying his own mental abilities to develop programmes or methods or approaches to enable the handicapped to get employment.

Mr. Speaker, I agree with the hon. member for Sandwich-Riverside as far as the legislation is concerned, that we should do everything we possibly can to hire the handicapped. But I don't agree that there should be any financial limitation as to the size of the contract and saying that once it's over that contract amount we must employ them. We should employ the handicapped all the time. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Windsor-Walkerville. Before the hon. member starts, there are still three speakers on my list here; one from each of the parties. We have about 21 minutes left, so try to divide the time equally.

Mr. E. J. Bounsall (Windsor West): The member for Windsor West, Mr. Speaker.

Mr. Speaker: Yes, what did I say?

Mr. Bounsall: Walkerville.

Mr. Speaker: Oh, I am sorry. My apologies.

Mr. Bounsall: With the three Windsor members speaking on this bill, I'm sure that you can be forgiven.

Mr. R. Haggerty (Welland South): It's a Windsor bill.

Mr. Bounsall: Right. Mr. Speaker, I rise with great pleasure to speak to this bill presented by the hon. member for Sandwich-Riverside, and to strongly support it.

I think the thrust of his bill is exactly correct. It is a bill which the government should be able to adopt. I say the thrust is correct because this would be the first stage of a series of three stages that should be taken by the government in establishing employment for the handicapped and the disabled in this province, be they physically, mentally or emotionally disabled.

I can see that the government may well think that it should proceed in stages, and this would be a reasonable stage. We're not saying to the government to pass a law which requires companies in this province to hire the handicapped and the disabled on a percentage basis. We're not saying that companies should hire the handicapped and disabled if they have the slightest amount of business with the government. We are saying here is a figure, to which I am sure the mover of this bill is not specifically tied, and any company or group of people doing more than $2,500 business under contract with the government should hire disabled and handicapped people. It would be the first stage.

Not every company doing business with the government would therefore need to have this provision applied to them particularly, but many companies would. Then, over a period of some months, the government would determine if there are any problems and get the facts as to the employment performance of the disabled and handicapped so employed.

The next logical step would be to having all companies or groups under contract with the government, including the government itself, taking on a prescribed percentage of disabled or handicapped; then, fairly quickly after that, requiring that industry employ the handicapped on a percentage basis. But in the initial stages the government would be, as they should be doing, taking the lead and setting the example in this area.

The Workmen's Compensation Board report for the year 1973-1974 reported an increase in compensable accidents of 18 per cent over the previous year, which means that there are no doubt more disabled in our population of Ontario seeking employment and no doubt finding what they have always found when they have a disablement pension from the Workmen's Compensation Board, that as soon as they mention that they are on a pension or that they are available for light work, not a company in this province will touch them or will hire them only with great reluctance.

I see this as an opportunity where those companies, particularly those companies with which the worker was injured, would be required and encouraged by this type of legislation to re-employ their own employees who have become disabled and to find—in fact, to devise if necessary—light work around their particular plant or operation to employ the physically disabled who have become disabled because of an injury in the work place. As I have already mentioned, those injuries are on the increase. This type of bill would assist in that area.

I am also interested and concerned, Mr. Speaker, about the situation in the industrial workshops that exist in our psychiatric hospitals around the province. In those institutions the mentally and emotionally disabled, particularly the emotionally disabled, are employed at a rate which is much below their actual productivity. Normal working rates surely would then start to apply if handicapped and disabled persons were employed, and those emotionally disabled persons getting employment through industrial workshops in our psychiatric hospitals would therefore be performing work that was both a therapy and somewhat of a training, although the training aspect in our industrial workshops, leaves something to be desired, and those persons would be getting their fair wage.

Studies done on the employment of disabled and handicapped show that the handicapped workers—and the more handicapped, the greater the effect—try harder, work harder, are more loyal to their employers and are more settled in their employment than are non-handicapped and non-disabled persons. These facts are clear for us to see. All we need is a lead to be taken by this government so that they can take those facts from many locations in the Province of Ontario to those other employers in Ontario who are not required to participate in the programme when the second or third stage of this planned phase-in becomes applicable.

Mr. Speaker, with an eye to the time and the restrictions, I will end my remarks and urge the government to very seriously consider adopting this Act to amend the Ministry of Government Services Act introduced by the member for Sandwich-Riverside, the thrust of which, of course, is to see that our

handicapped and our disabled in this province receive employment.

Mr. Speaker: Thank you very much. The member for Peel South.

Mr. R. D. Kennedy (Peel South): Mr. Speaker, I'm pleased to have an opportunity to speak briefly on this bill. I certainly support the thoughts and sentiments expressed in it by the member for Sandwich-Riverside in bringing it forward. He displayed considerable research; he's done some work on the subject and I commend him for it.

I came across a news clipping, Mr. Speaker, and I think it's a couple of years old. The "Star Forum" had a meeting on transportation in Toronto, and in answer to a question one of the spokesmen said there are 200,000 people in Metro with physical disabilities, which is certainly a considerable number. I didn't appreciate that there were that many. I suppose it runs the range from very minor disabilities to significant, substantial and very serious ones. But that is a large number within Metropolitan Toronto alone, and perhaps with the population as it is there might be double that or even more across the province.

I'm not sure of the categories with which we're dealing with respect to this bill. The member for Oshawa touched on this. We know of people who are on compensation; people who are convalescing from illnesses. They're handicapped. There are those who are physically and permanently handicapped and a whole range, a great variety of disabilities. This, as I see it, would be one of the difficulties.

Actually, most of the inquiries I get from the handicapped, for some reason which I don't understand, are not so much with respect to employment as they are regarding transportation and other services. The handicapped, to quite an extent, are for all intents and purposes shut-ins. So they inquire as to the facilities that are available whereby they can have a fuller life by being provided with such things as transportation and whatever the transportation can take them to in the way of entertainment or, indeed, significant social discussions and political discussions or suchlike.

We have in our county the Peel Association for Handicapped Adults. I might say, too, that this is just one group that points out the increased awareness among the public of the needs of these people. There are other groups such as this. There is the Etobicoke Association for the Handicapped. I've had considerable correspondence from Mrs. Jane Plumb on the same topic. We have the A-R-C Industries programme, which the member for Windsor-Walkerville referred to. We have retail stores: if I can name one, Simpsons-Sears makes provision whereby their employees, on their time, make available their services to help the handicapped with their shopping. This is a commendable and tremendous idea. All these things are helpful in bringing this need forward.

The Peel Association for the Handicapped, in a newsletter they put out last April, mentioned Michael Yale, a 30-year-old blind lawyer who is compiling research in the areas of employment possibilities for the physically handicapped. It goes on and speaks of this. Though they mention this is a Metro Toronto study, it should be of interest to all handicapped people who have something to offer in the job market. This is so true. I'm not sure what has come of that. I know the ministry is conscious of the problem and they're working on it.

I have a recent letter from a Mr. Todd, an accountant, with respect to the sightless, in which he explains that the CNIB has made arrangements for employment on the telephone service of the Toronto office of Revenue Canada. They've agreed to employ four sightless people. Following an examination given by their officials, it was decided by them that they were qualified to do this work. This again is some indication of the interest associated with this need.

Mr. Speaker, I touched on this. In the bill I see some practical difficulties in applying it. Again I agree with the member who said he didn't particularly see the need for the $2,500 figure. I suppose it's a target. I don't know why he needs one at all. You could have a lesser figure or contract where the handicapped might do the whole thing, Mr. Speaker. We don't know. The bill calls for the minister not to enter into a contract or an agreement with a contractor unless he has in his employ a percentage of handicapped persons. I don't wish to pick any nits in regard to this, but some contractors may not employ anyone. Everything is sublet, so it has to filter down to whoever is doing the work presumably. I see all kinds of problems in identifying people who are capable of doing what might be appropriate to them. Perhaps in searching around, it would take such a period whereby it would bog down the contract. Possibly a system of registration or a categorization where the degree of handicap is noted or the capacity, where the qualifications are noted and where they could go through some service organization, whereby one would just pick out the people that are

suitable for whatever the job is, would be a suitable way of handling this.

I see these problems, but I think that they are not insurmountable, though they possibly aren't easy. I mentioned a few blind people who are working, but there are many, many areas, in government where there are people who are handicapped who are working and, as was said earlier, doing just an excellent job. I think what we need to do is two things: categorize the people and know their qualifications and abilities and, secondly, do what we can to ensure the awareness of the capacity and what these people have to offer and that the job market is known to industry and to government, Mr. Speaker.

Mr. Speaker: The hon. member for Welland South.

Mr. Haggerty: I want to thank you, Mr. Speaker, for the opportunity to speak on Bill 94. The purpose of the bill is to ensure that the handicapped persons are employed when government enters into contracts or agreement with the agencies. I support the principle of the bill with perhaps one reservation that no monetary limits should be set on the contracts or agreements.

I believe the member for Sandwich-Riverside has been trying to convey to the government that more direction and input by the many government departments are necessary and that there is a lack of leadership in the field to assist the handicapped citizens in employment in Ontario. Perhaps the hiring policy in Ontario or in the government here has neglected the handicapped persons.

Mr. Speaker, it has been a long road for many individuals and organizations such as the Canadian Rehabilitation Council, the mentally retarded associations in Ontario and the many service clubs which have entered upon programmes to upgrade the public image and the social status of the disabled. These special groups of citizens have provided funds to tackle the social issue and through their effects have shown that the government of the past two or three decades was moving in the wrong direction.

It is not until the last decade that the government agencies actually have taken an active part in many rehabilitation programmes in Ontario. My remarks are perhaps directed more to the retarded handicapped persons and the emotionally disturbed youth of Ontario. Not too long ago retarded children were discarded children, perhaps placed in some institution and forgotten.

But I have seen, Mr. Speaker, the results of many concerned citizens in developing in a short period of time an effective delivery system in rehabilitation centres within the Niagara region. The associations have assisted the afflicted person to make the most of his life; the opportunity to participate and to contribute to a state of self-fulfillment and independence.

Mr. Speaker, I speak particularly of the Niagara Training and Employment Agency Inc.—NTEC—located in Port Robinson. It's too bad I don't have more time to get into the details of the programme, but they have educated many to a point of self-care and semi-independence. In fact, a number of those in this particular type of training programme have become self-supporting. I wish that members of the Legislature could go down and see this programme that is available for the handicapped persons in the region.

They are taught to look after the care and maintenance of greenhouses. They are taught the care and maintenance of parks. They are taught the care and maintenance—particularly the pruning—of the fruit orchards in the Niagara Peninsula.

I often wonder, as close as we are to the Niagara Parks Commission—if these people could be employed along the Niagara parks system, with little, if any, direction. I think they could go out and do a job by themselves, such as mowing the lawns, doing the gardening work—say in the flower beds along the whole frontier of the Niagara River. I believe that there is ample opportunity for these persons, if we give them the opportunity to be employed.

Last Friday, a group of men were parading —I shouldn't say parading, but perhaps showing their dissatisfaction with the government's present disabled workmen's compensation programmes. We've seen it down here for the past couple of weeks. You look at the rehabilitation under the Workmen's Compensation Board—the Minister of Labour (Mr. MacBeth) is not here—but it is perhaps one of the weakest rehabilitation programmes there is in the Province of Ontario. If the government had a sound rehabilitation programme, those persons wouldn't be marching in protest down below in the main corridor of this building.

If the government had a good programme, they wouldn't be there. And I think that this is what is lacking with the Workmen's Compensation Board. I should say, perhaps, in winding up, Mr. Speaker, all levels of gov-

ernment and their agencies should be developing a programme of creating equality of opportunity for the many handicapped citizens in Ontario. I strongly support the bill.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I think I have informed the other two parties that we have determined that the House will not sit this evening. I would ask the members opposite to be prepared tomorrow for whatever remains on the order paper for those ministers who I can get my hands on. And then we would revert, of course, to the first item on the order paper.

Hon. Mr. Winkler moves the adjournment of the House.

Mr. Speaker: Mr. Winkler moves the adjournment of the House and I think it is very fitting that our former Speaker, the member for Waterloo South (Mr. Reuter), who I believe is going to be honoured tonight, and our present Speaker (Mr. Rowe) have a full evening devoted to their attention by the members of the House. I advise you all to attend; I'm sure you will enjoy yourselves.

Motion agreed to.

The House adjourned at 6 o'clock, p.m.

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Legislature of Ontario Debates

No. 148



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Tuesday, December 10, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 10, 1974

The House met at 2 o'clock, p.m.

Prayers.

Hon. F. S. Miller (Minister of Health): Mr. Speaker, on behalf of my colleague, the hon. Provincial Secretary for Social Development (Mrs. Birch), I would like to welcome to the Legislature 160 students from Sir Wilfrid Laurier Collegiate Institute, 80 of whom are in the east gallery, and 80 of whom are in the west gallery.

Mr. Speaker: I beg to inform the House that I have received the report of the Electoral Boundaries Commission, which I have had distributed.

Statements by the ministry.

The Minister of Health.

HEALTH AND SAFETY STANDARDS IN ONTARIO MINES

Hon. Mr. Miller: Mr. Speaker, concern has been expressed regarding the incidence of silicosis and lung cancer among uranium mine workers in Elliot Lake. The Ministry of Health has conducted two series of tests this year in that area. The first consisted of a comprehensive chest examination of approximately 1,000 workers, and the second constituted a survey of the working environment. The results of these studies show that grounds for concern still exist, and I wish to keep the members informed of the facts.

As background, it may be recalled that a distinct form of silicosis, caused by exposure at Elliott Lake uranium mines, was identified in 1966. A number of cases were found from 1962 onward, sometimes in individuals with only four years of exposure in the mines. The report published by the Ministry of Health in 1972—it was entitled "An Unusual Pneumoconiosis in the Ontario Uranium Mining Industry"—indicated that in fact there were more than 80 such cases from Elliot Lake uranium mines.

This was followed, in 1973, by a preliminary report prepared by the Ministry of Health in co-operation with the Workmen's Compensation Board of Ontario. The preliminary report was updated in September, 1974; members who were familiar with the Mueller report realize it discussed miners exposed prior to approximately 1964. This indicated that the risk of getting lung cancer was three times greater at the Elliot Lake uranium mines than for the general public.

Early this year, following discussions between the Minister of Health, the Minister of Natural Resources (Mr. Bernier) and representatives of the United Steelworkers of America, the Ministry of Health undertook the medical study to which I referred earlier. A total of 973 uranium miners were given comprehensive chest examinations and where significant findings were made these were immediately reported to the Elliot Lake examining station and also to the individual's own doctor, if he had one. A final comprehensive report on this medical study is expected shortly.

During the summer of this year, again at the request of the Ministry of Natural Resources, the Ministry of Health undertook a survey of the working environment. Sampling for dust, radiation and diesel exhaust was carried out in the active areas of the two operating mines. The results of this survey, Mr. Speaker, are contained in the report that I will be tabling at this point for the House.

In brief, it indicates that the diesel exhaust and radiation hazards are controlled at acceptable levels, but that in most of the areas surveyed exposure to quartz dust exceeds the recommended threshold limit values.

It is clear from this report that prompt action is necessary to correct this condition. The report also contains a list of the measures recommended for controlling the quartz hazard, and also for improving the methods now used to monitor that condition.

As the House will be aware, the presentation of these recommendations fulfils the present responsibility held by the Ministry of Health in this matter, but I am assured by my cabinet colleague, the Minister of Natural Resources, that aggressive and constructive steps will be taken immediately by his ministry to follow through with corrective action involving those directly affected in the Elliot Lake area.

Mr. S. Lewis (Scarborough West): The minister will never get anyone to believe it; certainly not the miners.

Mr. Speaker: Oral questions.

The hon. member for Kitchener.

HEALTH AND SAFETY STANDARDS IN ONTARIO MINES

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, following the statement, I am wondering if I can ask the Minister of Natural Resources whether he has any definite policies or plans to resolve the problems the Minister of Health has now enunciated as a result of his survey?

Hon. L. Bernier (Minister of Natural Resources): Yes, Mr. Speaker, I might say that we have some very positive plans and steps that we will be taking. If the member will turn to page 3 of the report, he will notice that there are 12 recommendations. We intend to go over these in detail.

Members will note that my colleague, the Minister of Health, has mentioned a further report dealing with the health aspect of the 973 miners. That information is complete and is being brought together now in a comprehensive way. When that report is available, which I hope will be in a matter of the next few weeks, we will take these two reports, go to Elliot Lake, meet with the members of the union, members of the industry, members of the Ministry of Health and members of my ministry and go over each recommendation and take some positive steps as has been recommended.

Mr. T. P. Reid (Rainy River): A supplementary, Mr. Speaker, if I may.

Mr. Speaker: A supplementary. The member for Rainy River.

Mr. Reid: In view of the fact that the report suggests that prompt action is necessary in regard to the quartz, what prompt action is the minister going to take other than waiting for two or three weeks to have somebody go over the reports that he already has?

Hon. Mr. Bernier: Mr. Speaker, we have to go over the recommendations in the report in detail. The member will notice that it stresses suppression by water—that's in relationship to the dust—dust dilution and possibly personal protection devices against dust. Those are three possible routes we could go. In fact, we're prepared to go all the way. If these can't be resolved in the immediate future, we're prepared to shut the mines down until the corrective measures can be enforced.

Mr. Speaker: The member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a supplementary question. Has the minister got a report yet on the method recommended by the United States Bureau of Mines of putting a plastic coating on the walls of the shafts?

Hon. Mr. Bernier: No, Mr. Speaker, I'm not aware of that report.

Mr. Speaker: Does the member for Scarborough West have a supplementary?

Mr. Lewis: Yes, I'd like to ask a supplementary. Since presumably the quartz dust is one of the prime causes of silicosis and since silicosis is again documented by the Minister of Health in his statement, how much longer—how many weeks and how many months—is this minister willing to allow the quartz dust levels to be above the accepted threshold limit before he moves? And if he goes to the extremity of closing the mines down, what provisions will be made for the workers?

Hon. Mr. Bernier: Mr. Speaker, the matter of provision for the workers, of course, would come under the Workmen's Compensation Board, and maybe we will have to have further discussions along those lines. I can only say to the hon. member that we are going to take positive action as quickly as we can get down to it, once we have the report of the health committee. We're going to take decisive action as quickly as possible.

Mr. Lewis: A supplementary if I may: Why does the minister need the report of the chest x-rays and those health surveys, when he has a report in front of him which says that there are occupational hazards from the present level of quartz dust emission? Why does he need a health survey before he takes action on this? That may be months away.

Mr. Reid: The minister already knows what the problem is.

Mr. Lewis: He knows what the problem is.

Hon. Mr. Bernier: Mr. Speaker, I think it's fair to say that both reports go hand in hand. One deals with the mine itself and the other deals with the health conditions of the 973 miners who were tested. I might say at this point that this report will be given to the HAM commission for their very thorough review and, of course, comments.

Mr. Lewis: This is an utter stall.

Hon. Mr. Bernier: It's no stall at all.

ELLIOT LAKE WATER SUPPLY

Mr. Breithaupt: Mr. Speaker, I have a question of the Minister of the Environment, following up problems at Elliot Lake. Is the minister prepared now to continue the monitoring of underground water supplies for drinking purposes at the lake and will he table the results of the surveys that have been done in the area of the radium 226 in the surface water?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, we have been doing some sampling of the bulk of the water supplies in the Elliot Lake area from Center and Dunlop lakes, both of which are completely under examination and are regularly sampled by our ministry. It has come to my attention that an alternate source of water has been supplied from Quirke Lake in part of the Denison Mines workings. We're looking into this and taking some samples and we expect to have them back within two weeks.

FIRE INSURANCE RATE INCREASES

Mr. Breithaupt: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. Following the report of proposed increases in fire insurance rates of some 35 per cent in Metro Toronto and other rate increases ranging from 11 per cent in southern Ontario to some 41 per cent in the north, will the minister require some justification from the fire insurance companies for these proposed increases?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, a representative of the Insurers Advisory Organization apparently met with the superintendent of insurance this morning. I was not present at that meeting.

The Insurers Advisory Organization is exactly that; it is an advisory organization to the industry. The fact that they have brought forward the report which was referred to in the Globe and Mail this morning, Mr. Speaker, is based on the increased losses over the years. Fire losses—I'm talking about residential fire losses—have increased since 1968, I'm advised, at the rate of 60 per cent. House costs and replacement costs increased since 1968 at an average of 11 per cent per annum.

The advisory organization is of the view that the industry itself, insofar as residential protection is concerned, has not been, in fact, charging enough. Now the superintendent's office is taking a look at the figures which have been actuarially prepared and made available to him.

I would suggest, Mr. Speaker, that the public consider and not forget that the rates will have to be competitive, particularly with those of the fire mutual companies, which, as the hon. member knows, operate at no profit.

Mr. J. E. Bullbrook (Sarnia): Hogwash.

Hon. Mr. Clement: The advisory committee's report is merely for the benefit of its members. It does not have to be followed.

Mr. Bullbrook: Ask the Minister of Agriculture and Food (Mr. Stewart). He knows it is hogwash; they are not competitive at all.

Hon. Mr. Clement: I am not anticipating that all companies will certainly reflect the advice that their advisory committee has put forward, as referred to in the Globe and Mail.

Mr. Bullbrook: By way of supplementary—

Mr. Speaker: The hon. member for Sarnia.

Mr. Bullbrook: Yes, by way of supplementary, in response to my House leader's question, prior to any elevation in the rate schedules, could the minister come before the House and make a statement of apologia? By apologia, I mean a statement substantiating the direct need, and not based on the Insurers Advisory Organization's equivocation, and equating general insurance companies with fire mutual insurance companies.

Hon. Mr. Clement: Mr. Speaker, I haven't met with anybody from that advisory organization. I have not seen the figures. The superintendent is perusing them. They are made available. They are not anywhere near secret. They are available if anybody would like to look at them. I think they should be made available.

Mr. Bullbrook: Will the minister look at them?

Hon. Mr. Clement: Of course I will look at them. I'll be more than glad to.

Mr. Bullbrook: Good.

Hon. Mr. Clement: And I'll be prepared to discuss them, either in the House or privately with any member, perhaps in the company of the superintendent, who is far more knowledgeable in these matters than I.

Mr. Lewis: Supplementary.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: No, the member for Sudbury was up first.

Mr. M. C. Germa (Sudbury): Mr. Speaker, could I ask the minister, when he is doing his survey of these recommended increases would he also keep in mind the discriminatory trend I see in recommending a 41 per cent increase for northern Ontario and only an 11 per cent increase for the southern part of the province?

Hon. Mr. Clement: Mr. Speaker, I can't come to that conclusion at this particular moment. I think we have to look at the percentage applied against the basic rate being charged in the past, because last spring when automobile insurance reflected what appeared to be a 21 per cent increase in northwestern Ontario as opposed to something like 10 or 12 per cent in the Toronto area, the same coverage in northern Ontario, or that particular region, was substantially less in dollars than the same coverage provided in the Metro area. So we don't look only at the increase in percentage terms, but we have to look at the premium against which the percentage is being applied.

Mr. J. E. Stokes (Thunder Bay): It is always higher.

Mr. W. Ferrier (Cochrane South): It is still quite a bit.

Hon. Mr. Clement: So, the 41 per cent is 41 per cent of what! I think that we must not be unmindful of that before we come to any conclusion.

Mr. J. A. Renwick (Riverdale): That's exactly the quagmire the minister is always in.

Mr. Lewis: He always is.

Mr. Speaker: The hon. member for Downsview.

Mr. V. M. Singer (Downsview): By way of supplementary; wouldn't the minister be better advised to give us the opinion of his department—

Mr. Bullbrook: Right.

Mr. Singer: —as to the efficacy of these requested rate increases; rather than espouse quite loosely something told to him by a body called the Insurers Advisory Organization? Isn't it the responsibility of the minister on behalf of all the people of Ontario to tell us whether or not his department can say that these requested rate increases are reasonable?

Hon. Mr. Clement: Mr. Speaker, may I make it perfectly clear that these are not requested rate increases.

Mr. Lewis: They never request; they just set.

Hon. Mr. Clement: These are the rates that the Insurers Advisory Organization says its members should charge in order to keep up—

Mr. Singer: What is the minister's opinion?

Hon. Mr. Clement: I haven't looked at them yet.

Mr. Singer: Why give us the nonsense about an advisory committee?

Mr. Speaker: Order, please.

Hon. Mr. Clement: I'm prepared to look at them, but I want to make it clear these are not requested rate changes. We don't sanction the rates. We don't say: "No, we will allow that one, and we won't allow the other."

Mr. Singer: I didn't say "requested"; I said "suggested."

Hon. Mr. Clement: Well, they are not requested rate increases. So I think we should look at the facts. Perhaps the hon. member would rather we move before we look at the facts.

Mr. Singer: No, I would say that the minister has a responsibility.

Mr. Speaker: Order, please. The hon. member for Scarborough West.

Interjections by hon. members.

Mr. Lewis: Instead of sounding like the handmaiden of the insurance industry, which the minister always sounds like in this House—

Mr. Singer: Hear, hear!

Mr. Lewis: That's right, and he plays the role well—why is he not willing to bring before a review board, established either within his ministry or a committee of the Legislature, those representatives of the insurance industry to set out their case and let the elected representatives, or a group within the ministry, decide whether or not they are valid rather than them shoving the rate increases down our throats?

Hon. Mr. Clement: Mr. Speaker, I think that the superintendent should have made available to him these figures which are in the process of being made available this very day. All that I am saying is it doesn't—

Mr. P. D. Lawlor (Lakeshore): He does nothing about it.

Mr. Lewis: He is their extension.

Hon. Mr. Clement: No, he is not their extension. He is not.

Mr. M. Cassidy (Ottawa Centre): Yes, he is. He has never raised a finger against them.

Hon. Mr. Clement: I think that we should take a look at those figures. We should take a look at the statistics on which they are actuarially based and make them available to the members of the House.

Mr. Lewis: He continues to ignore them. Who protects the consumers of Ontario? Not the minister.

Mr. Cassidy: Change the name of the ministry to the Ministry of Corporate Protection.

Mr. Speaker: Order, please. The hon. member for Kitchener.

Mr. Lewis: What a bunch over there. No wonder they are losing everywhere.

Mr. Speaker: A new question now.

Mr. Cassidy: The minister is just a corporate lackey.

Mr. Speaker: Order, please. The hon. member for Kitchener with a new question.

Mr. A. J. Roy (Ottawa East): Ah, the Premier is here!

Mr. Breithaupt: Mr. Speaker, I hope that grave disorder isn't taking place.

Mr. Lewis: Certainly not.

Mr. Breithaupt: Perhaps I could ask a question of the Premier.

URBAN DEVELOPMENT CONTROL

Mr. Breithaupt: A question of the Premier, Mr. Speaker. Apart from the rejection of the Toronto 45-ft bylaw by the Ontario Municipal Board, can he explain to the House what the government's position is on development control legislation for urban areas?

Mr. Roy: That's a toughy, eh?

Hon. W. G. Davis (Premier): Well, Mr. Speaker, I really must confess I don't totally understand the question.

Mr. Roy: That's what we thought.

Mr. Speaker: Order, please.

Hon. Mr. Davis: If the hon. member would like to become more definite about which development control bylaws in what municipalities and what role the province may have, I would be delighted to get an answer for him. But I find it rather difficult to comment in a general sense without any specifics. I'm sure the hon. member must have something specific in mind and perhaps he might rephrase his question.

Mr. Roy: The Premier doesn't usually find it difficult.

Mr. Speaker: Order, please.

Mr. Breithaupt: I would be happy to do that for the Premier, Mr. Speaker. In view of this decision, just what powers does a municipal council now have to control development quality within a municipality?

Hon. Mr. Davis: I would think, Mr. Speaker, they have the normal powers that have existed for many years according to statute. I don't think that changes.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: Since the Ontario Municipal Board decision was based on a vacuum in provincial policy under the Planning Act, and since the Ontario Municipal Board ends its decision by indicating that there should be some mechanism for development control, how will the province step in to provide the vehicle which municipalities like the city of Toronto can use if the 45-ft height bylaw is no use?

Hon. Mr. Davis: Mr. Speaker, I don't want to get into a lengthy discussion that is somewhat technical and legal in nature.

Mr. Lewis: It is not technical; it is policy.

Hon. Mr. Davis: But I would say, with respect, that there have been municipalities that have had official plan development control bylaws that have been upheld.

I haven't read the judgement of the Ontario Municipal Board or its rationale for the decision it made; nor was I involved in a reading of the transcript or any of the evidence. I think it would be quite improper for me to comment upon that particular case.

But it is fair to state, Mr. Speaker, that there are a number of municipalities with forms of development control bylaws or official plans that are certainly legal and are in force.

Mr. Speaker: Does the member for Kitchener have further questions?

Mr. Cassidy: Supplementary.

Mr. Speaker: One final supplementary.

Mr. Cassidy: Since the decision of the OMB calls into question, however, the use of height control bylaws—in Ottawa as well as in Toronto—as a means of giving municipalities the time to plan effectively without the development pressures that they have been experiencing, will the government bring in legislation in order to permit the use of this technique before it is thrown into disrepute, or made unworkable by interference?

Mr. J. H. Jessiman (Fort William): Especially for Toronto Island.

Hon. Mr. Davis: Mr. Speaker, if the member for Ottawa and the Islands is saying that he disagrees with the OMB decision—

Mr. Cassidy: On a point of order, Mr. Speaker; the Premier knows my riding and he should use it correctly.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Mr. Speaker, I apologize. I really—

Mr. Renwick: Don't explain it; drop the subject.

Interjections by hon. members.

Hon. Mr. Davis: I really didn't realize the hon member was that sensitive; but I will withdraw that phraseology if it makes him feel any better—

Interjections by hon. members.

Hon. A. Grossman (Provincial Secretary for Resources Development): Makes me feel better, too.

Hon. Mr. Davis: —although I always find it intriguing that some members opposite feel they can say almost anything, but if we have a little fun on this side of the House they become ultrasensitive.

An hon. member: Right.

Mr. D. C. MacDonald (York South): Don't drop it and put it back in again.

Hon. Mr. Davis: That I don't understand.

Mr. I. Deans (Wentworth): It was funny about a year ago.

Hon. Mr. Davis: However, a brief answer to the question, Mr. Speaker. We are quite prepared to take a look at it. I have no objection to that at all.

Mr. Lewis: Nobody has described the Premier as the member for Brampton and Sicily. If the member for Ottawa Centre called the Premier the member for Brampton and Sicily, would he mind?

Mr. Speaker: The member for Kitchener.

Mr. Lewis: If I called the Premier the member for Brampton and Sicily, would he mind?

Hon. Mr. Davis: Listen, I can tell the member that there are some very fine people there.

Mr. Lewis: Exactly.

Mr. Speaker: Order please. No further questions? The member for Scarborough West.

Interjections by hon. members.

Mr. Speaker: Order please. The member for Scarborough West with his questions.

Hon. Mr. Davis: If the member doesn't like the people, just say so.

Mr. Lewis: Always, always. Is the Premier sorry he had to cancel his trip? That's what's bothering him.

HEALTH AND SAFETY STANDARDS IN ONTARIO MINES

Mr. Lewis: May I ask the Minister of Health: In the report which he tabled today on whose-ever behalf, on page 33 it indicates quite specifically that in the Rio Algom and Denison Mines areas the dust sampling results "indicate that there exist throughout the active areas of the mine and mill, exposures in excess of the threshold limit values for crystalline and silica." Since silica causes silicosis, can the minister explain to us how he, as the Minister of Health in Ontario, is willing to allow the limits to be exceeded in those mines for the miners without a single specific initiative at this point?

Hon. Mr. Miller: Mr. Speaker, I am sure the hon. member knows it was my duty to do the testing, to set the standards and to

report if the standards were exceeded. I have done that publicly, I have advised my colleague that we found that the standards were being exceeded and he has assured me that measures will be taken to alleviate them.

Mr. E. W. Martel (Sudbury East): Where has the Minister of Natural Resources been for the past 13 years?

Hon. Mr. Miller: I trust they'll be done.

Mr. Lewis: All right. Supplementary, to the Minister of Natural Resources—unless there is another supplementary.

Mr. Reid: I would like to ask, if I may, by way of supplementary to the Minister of Health, since the report says on page 4, "There are a number of uncertainties in the assessment of exposure to dust containing silica, and consideration should be given by those concerned to improving sampling techniques and instruments," does he not feel that he should be concerned, and is he in fact concerned about this matter?

Hon. Mr. Miller: I would think that's a clause that could be used to describe the great bulk of industrial test equipment, because in most cases one is measuring either very fine particles or very small quantities of material.

Mr. Reid: But he should be concerned about it.

Hon. Mr. Miller: I am concerned; but it is not specifically a Ministry of Health problem. We do not design testing equipment, except in the absence of any in the field. I believe the member will find, if he reads the report, that we used at least four different types of equipment to try to get comparative samples—to try to get the different ranges of sizes—so that we had some means of determining if the tests results were accurate.

Incidentally, our results and those posted by the industry show a great degree of correlation; so that part at least, I think, is reassuring—

Mr. Lewis: Isn't that interesting.

Mr. Martel: So what happened for the last 13 years?

Interjections by hon. members.

Hon. Mr. Miller: —because the great bulk of the ongoing testing in any location in industry needs to be done by the manufacturer or the mines. However, we should have the right to question and spot-check at any point in time and, therefore, let the staff know whether the test results are honest or not.

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: A question then of the Minister of Natural Resources: Since the report says at the outset that the "mining companies have for a period of 18 years carried out quarterly and semi-annual dust and radiation surveys," and clearly either they have suppressed the information for 18 years or the minister has had complicity with them for 18 years, what is he willing to announce today by way of corrective measures in the uranium mines in Elliot Lake?

Hon. Mr. Bernier: Mr. Speaker, I think if one has followed the problems as they relate to the mining industry—and I am pleased that just a few months ago the leader of the New Democratic Party suddenly became involved, because one would think from the way he is talking that he discovered silicosis—

Mr. Lewis: Not at all. I was told that for years the government has been deliberately suppressing information, and the minister is doing it today again.

Hon. Mr. Bernier: Silicosis has been around for a long time. The mining industry, in co-operation with the various departments of government—

Mr. Lewis: Some co-operation.

Hon. Mr. Bernier: —have done a job.

Mr. J. F. Foulds (Port Arthur): They sure have—on the miners.

Hon. Mr. Bernier: We don't have the problem in the gold mining industry that we used to have. We have a problem in Elliot Lake and this report points it out. This report is dated Nov. 29, and as I indicated earlier we will be acting on it as expeditiously as possible. I would point out to the hon. member that during the course of these last few years we have corrected the problem with diesel fumes, and the problem with radon is now behind us, so we will come to grips with the silica problem, too.

Mr. Foulds: In the meantime, men die.

Mr. Speaker: Any further questions?

Mr. Lewis: Supplementary: How can the minister say the problem of radon is behind him when there is an incidence of lung cancer more than three times that of the general population? He doesn't have that kind of

information yet. How does he say it that way, publicly?

Hon. Mr. Bernier: Mr. Speaker, I was referring to incidences as they may occur from now on; he is referring to incidences that have occurred in the previous years.

Mr. Speaker: Any further questions?

ECONOMIC SITUATION

Mr. Lewis: A question of the Premier, if I may: What did the provincial Treasurer (Mr. White) mean yesterday at the meeting of ministers of finance in Ottawa in saying the Premier was prepared to take all the necessary government intervention that might be required, given the projection of a rising unemployment rate and falling growth rate for 1975?

Hon. Mr. Davis: Mr. Speaker, I can't speak for the Treasurer, in that I didn't hear what he said but I think it was not—

Mr. Roy: It was his own policy.

Hon. Mr. Davis: —too dissimilar to what I said here in response to a question from the hon. member along this line about two weeks ago, and that was that we were watching the economic situation very carefully—what kind of effect the economy in the United States or what was happening there would have on us here—and that as we assessed it we would, of course, consider what steps, if there were some, we might take as a government. I think that is basically probably what the Treasurer said yesterday, but I have no first-hand knowledge because I haven't talked to him about it; nor, of course, did I hear what he said.

Mr. Bullbrook: By way of supplementary, given a continuation of the acceleration of the inflationary cycle and an increase in unemployment rate, could the Premier specify what initiatives his government has in mind to resist those tendencies?

Hon. Mr. Davis: Mr. Speaker, we have taken some initiatives to try to resist the question of inflation—initiatives, I must say, that have not been supported by the members across the House, which is not inconsistent—

Mr. Roy: Like what?

Hon. Mr. Davis: Like what? Does the member want a speech? These people have said they would eliminate ceilings on educational expenditure. They tell me that that isn't a curb on inflation. These people are opposed to it.

Mr. Roy: We will change the priorities.

Hon. Mr. Davis: Let's understand and recognize that we have taken steps—

Mr. Speaker: Order, please.

Mr. Bullbrook: On a point of order, I specifically asked the Premier what initiatives he would respond to in the future. I don't want a speech on what he did in the past. What will happen in the future?

Hon. Mr. Davis: Mr. Speaker, I would only say to the member for Sarnia that as far as this government is concerned the future is here—it's now. It depends on what we are doing as of today. That's right.

Mr. Lewis: Oh, careful. Next he will be quoting Shakespeare.

Hon. Mr. Davis: It's great for the member for Sarnia to say, "What are you going to do next week or next month?" I say, as far as inflation is concerned, that we have been doing something about it, are still doing something about it, which is more than can be said for some other jurisdictions, and we have done things that have not been supported by the people across the House.

Mr. Reid: The government has the responsibility and is not taking it.

Mr. Singer: That will go down in the annals of the Legislature: "The future is now."

Hon. Mr. Davis: That's right.

Mr. Lewis: Once a session they coin a phrase.

Mr. Singer: And that's it.

Mr. Speaker: The member for Rainy River with a new question.

SAFETY AT STEEP ROCK

Mr. Reid: Mr. Speaker, I have a question of the Minister of Natural Resources. Has he now received the report of the two experts that his ministry commissioned to study the fault in the face of the mining cliff at Steep Rock Iron Mines? If so, what does the report say?

Hon. Mr. Bernier: Mr. Speaker, I have not had the opportunity to look at it in detail, but my staff inform me that there was a cer-

tain section of that wall that had to be removed, taken down, knocked down or blown down, having due respect for the safety of the workmen who would be working beneath that particular area. So, in view of that I indicated last Friday that there should be no mining in that particular area until this matter had been corrected.

Mr. Reid: Has the minister indicated that to the mines?

Hon. Mr. Bernier: Yes, I made a public statement Friday night to that effect.

Mr. Speaker: The hon. member for Port Arthur.

THUNDER BAY STUDY

Mr. Foulds: Thank you, Mr. Speaker. I have a question of the Minister of the Environment. What participation has his ministry had in the feasibility studies going on in the Thunder Bay area for the heavy industrial complex there?

Hon. W. Newman: I can't be specific, Mr. Speaker, but I know that our people are very much involved in any development that goes on in the area of Thunder Bay. We have a regional office there and our people are involved. If the member has a specific problem on a specific matter, we'd be glad to look into it.

Mr. Foulds: A supplementary, Mr. Speaker: I'm asking quite specifically about the guidelines set down by the Treasurer's department for the heavy industrial complex in the Thunder Bay area. I want to know, under the section on environmental impact, what input, if any, this ministry has had to that study? Since the minister wants specific projects, I want to know, in connection with two that are presently being developed, what participation his ministry has had with regard to the Neptune Coal terminal and the Thunder Bay hydro generating station.

Hon. W. Newman: I believe there have been discussions with our people on that matter, but I can get more details on it for the hon. member.

Mr. Speaker: The hon. member for Ottawa East.

Mr. Roy: Thank you, Mr. Speaker. By the way, do you realize Ottawa East lives again? It's back on the map.

Mr. B. Newman (Windsor-Walkerville): It's very much alive in here.

Mr. Lewis: But they altered Scarborough West.

ROYALTIES ON RESOURCES

Mr. Roy: My question of the Premier, Mr. Speaker, is this: Has the government of Ontario stated its position vis-à-vis the dispute between the governments of Alberta and Saskatchewan and the federal government as to royalties on resources? What is the Ontario government's official position on that?

Hon. Mr. Davis: Mr. Speaker, I almost noticed a Freudian slip on the part of the hon. member for Ottawa East when he asked what our position was, because quite obviously he wants to know what the government's position is so that he can take some contrary position, whether it be right or wrong; but that would be traditional—

Mr. Roy: The government is usually wrong, so if I take the opposite position I am sure it will be right.

Hon. Mr. Davis: I can only say to the hon. member for Ottawa East that it will be the first time if that's the case.

Mr. Roy: Oh, don't bet on it. Look at the popularity. Look at the polls.

Mr. E. Sargent (Grey-Bruce): The Premier is on the skids. He's on the skids.

Mr. R. S. Smith (Nipissing): If the Premier is right, he's the only one who knows it.

Hon. Mr. Davis: Mr. Speaker, I would say that we have made our position relatively clear, and I am sure the debate that is going on between the federal government and the Province of Alberta is a matter of great concern to all of us. I would only observe to the member for Ottawa East that a lot of this debate could have been avoided if there had been some intiative and some national energy policy on the part of his friends in the federal government two years ago, before this matter became as crucial as it is today.

Interjections by hon. members.

Mr. Roy: A supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Roy: Mr. Speaker, the Premier has again not stated his position and not answered the question. Can I tell—

Hon. Mr. Davis: We have.

Mr. Speaker: Your supplementary question?

Mr. Roy: My question, Mr. Speaker, is this: Can I say to the people from eastern Ontario, who are on the other side of the energy line, that this government's position is one of supporting the government of Alberta and not the federal government, and that as long as this government is in power, they can probably expect to pay twice what they are now paying for oil?

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, quite obviously the hon. member for Ottawa East is once again demonstrating his complete lack of knowledge on the subject.

An hon. member: Right.

Interjections by hon. members.

Hon. Mr. Davis: There are two aspects to the problem. One is the tax on royalties, whether it is oil, gas, mines or what have you. The other is the question of the export tax. And with great respect to the hon. member for Ottawa East, it is the funds from the export tax that the federal government is using to equalize oil prices across Canada. If the hon. member would look back through the records he would find that it was the Minister of Energy (Mr. McKeough) and the Premier of this province, before the federal government came to this decision, who urged a single-price policy for all of Canada and for all Canadians.

Mr. Roy: The Premier still hasn't stated his position.

Interjections by hon. members.

Mr. Lewis: There is far too much desk-thumping today.

Mr. Speaker: The hon. member for High Park.

OMA FEE SCHEDULE

Mr. M. Shulman (High Park): A question of the Minister of Health, Mr. Speaker: Has the ministry been approached by the Ontario Medical Association seeking a raise for 1975, over and above the four per cent that was previously agreed to?

Interjections by hon. members.

Mr. Speaker: Order, please.

There is too much noise in the Legislature; would members please try to control it—paper rustling noise as well as too much talking? The Minister of Health will answer this question.

Hon. Mr. Miller: I would like to qualify my answer by making sure the member is not on the negotiating team.

Mr. Shulman: No.

Hon. Mr. Miller: He is not?

Mr. Lewis: What a pity.

Hon. Mr. Miller: Yes. Perhaps he could be on my negotiating team?

Hon. W. D. McKeough (Minister of Energy): It would disqualify his being a member.

Mr. Lewis: Go ahead and ask him.

Hon. Mr. Miller: The answer to the question is yes, we have been approached and it has been turned over to the Clawson committee; the Clawson committee is discussing the matter right now.

Mr. Shulman: Supplementary, Mr. Speaker: Will the ministry this time take some control over where the money goes when it decides to give it?

Hon. Mr. Miller: I think it is safe to say that would not be our case. We would still stay with the decision as to how much total money would be paid and leave it to the Ontario Medical Association to agree on distribution.

Mr. Speaker: The member for Carleton East.

URBAN DEVELOPMENT CONTROL

Mr. P. Taylor (Carleton East): Mr. Speaker, a question of the hon. Premier: The Premier said earlier in this question period that the municipalities still enjoy their long-held powers to control ther own destinies in the planning sense. Can the Premier say whether or not the Minister of Transportation and Communications (Mr. Rhodes) was acting according to government policy when a sand pit wayside permit was issued to Dibley Construction in Rideau township against the wishes of Rideau township council?

Hon. Mr. Davis: No, Mr. Speaker, I must confess I can't comment on that at all. If the hon. member would like to ask that of the

Minister of Transportation and Communications at the next opportunity I would suggest it would be a very appropriate question.

Mr. P. Taylor: Supplementary, Mr. Speaker?

Mr. Speaker: If you can devise a supplementary that will fit that answer. A supplementary question is based on the answer that is given.

Hon. S. B. Handleman (Minister without Portfolio): Ask the proper minister. Why not ask the proper minister?

Mrs. M. Campbell (St. George): Because he is never here.

Mr. P. Taylor: The answer was that the minister could be asked this question. I am asking if it is government policy, Mr. Speaker, for a ministry of this government to override the wishes, and the stated wishes by a vote of a township council, in the matter of a sand pit permit? Is that government policy or isn't it?

Hon. Mr. Davis: It is government policy to accommodate the wishes of the municipalities as often as we can; and we do it very regularly.

Mr. Speaker: The hon. member for Ottawa Centre with a question? No, no more supplementaries.

APPOINTMENT OF MUNICIPAL AFFAIRS MINISTER

Mr. Cassidy: I have a question of the Premier which I hope he will accept. In view of the pressures on the Treasurer carrying the responsibilities for municipal affairs, and in view of the fact that the Premier is unlikely to call on anybody from Ottawa from this side of the House to take on the job, can the Premier say when he expects to appoint a minister who will be responsible for municipal affairs within the ambit of the Treasury?

Hon. Mr. Davis: I must say to the hon. member that he has exercised far greater wisdom and judgement than I have seen demonstrated in some time when he acknowledged that I would not be calling upon somebody from that side of the House to fill this very important responsibility. Mr. Speaker, of course, at the appropriate time, a decision of that kind will be made.

Mr. Speaker: The member for Grey-Bruce.

Mr. Cassidy: A supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Lewis: Why is the Minister without Portfolio leaping over his desk in that fashion?

Mr. Cassidy: If I could just impress on the Premier, partisan considerations apart, there is a serious problem in lacking a municipal affairs minister at this time and the municipalities feel they would like action.

Mr. Speaker: Your question? The member for Grey-Bruce.

GASOLINE PRICES

Mr. Sargent: A question of the Premier, Mr. Speaker: In view of the very shoddy performance of the Premier and the Minister of Energy at the oil talks in the spring, when they allowed a five-cent tax per gallon on gasoline, for exploration costs in Ontario; in view of going there unprepared—and as he admits, he goofed there—will the Premier consider taking that five-cent tax off as his contribution to the cost of inflation here now in Ontario?

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Davis: Mr. Speaker, I must confess that I do not totally understand the question. I think I know what the hon. member is trying to say. I would only make this observation to him, that we have not increased our tax on gasoline to the consumers of this province by anything that we have done, and if the hon. member is concerned about the consumers of this province or the other provinces of Canada—

Mr. Sargent: The Premier put on the five-cent tax.

Mr. Speaker: Order, please.

Hon. Mr. Davis: —the member should have prevailed upon his colleagues in Ottawa to have come to grips with the oil and gas situation well in advance of last March—

Mr. Roy: That's right, slough it off!

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Davis: —which they did not do, and which was one of the main reasons we ran into difficulty—

Mr. Sargent: The Premier knows he put the five-cent tax on gasoline.

Hon. Mr. Davis: —and we're having difficulties today, and the member and the general public should know it.

Mr. Speaker: The member for Port Arthur.

An hon. member: A supplementary.

Mr. Speaker: No, the member for Port Arthur. We're just about out of time. The member for Port Arthur has the floor for his question.

Mr. Lewis: Is this the new, aggressive Premier?

Hon. Mr. Davis: No, I am telling the facts.

Mr. Speaker: The member for Port Arthur, please, with his question.

GRANT TO TARRAGON THEATRE

Mr. Foulds: I wonder if I could ask the Minister of Colleges and Universities if his ministry, through the Ontario Arts Council, has made any approaches to Tarragon Theatre, in view of the financial difficulties that they are experiencing—ironically due to their outstanding success in the past year in producing Canadian plays—and whether any overtures have been made to them to supply interim financing so that the third part of the Donnelly trilogy can go forward this coming year?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, I'm not aware of the details of this situation. I'll find out and report to the hon. member.

Mr. Speaker: The member for York Centre.

APPOINTMENTS TO COUNCIL OF REGENTS

Mr. D. M. Deacon (York Centre): Another question of the Minister of Colleges and Universities: In view of the ministry's policy that member of the boards of governors of the colleges serve not more than eight years, is the minister planning to monitor appointments recommended or made at the end of this year, to ensure that that policy is being maintained?

Hon. Mr. Auld: Mr. Speaker, I think I should remind the hon. member that policy of no reappointment after an eight-year period became effective in September, 1972. I understand that there were a number of appointments made in 1971 and in early 1972, to which this didn't apply. I believe that in the original appointment of the Council of Regents they drew straws for their lengths of terms, from one to three years, so there would be a sort of a change without a total change all at one time. Subsequently, the eight-year maximum was adopted as a matter of policy. There are at present five members whose terms expire, I think, December, 1975, who will have served about 8½ or 9½ years.

Mr. Speaker: The member for High Park.

Mr. Deacon: A supplementary: Does that mean that after 1975 there will be no more who are serving more than a total of eight years?

Hon. Mr. Auld: Right, assuming that the members whose terms expire in 1975 are not reappointed. Technically, as I understand it, they could be appointed for one more term at that time and still come within the eight-year maximum which was adopted in either 1971 or 1972.

Mr. Speaker: The member for High Park.

SECURITY AT NUCLEAR POWER STATIONS

Mr. Shulman: I have a question of the Minister of Energy, Mr. Speaker. In view of the recent publicity in the US indicating a danger to nuclear plants, in which they suggest a group of fanatics may hold a city for ransom; and in view of the extra guards that have been put on all the American nuclear establishments, has he taken any precaution in connection with Pickering?

Hon. Mr. McKeough: Not recently; but as long ago as a year ago I think, Hydro reviewed the security arrangements, and I think upgraded them substantially.

Mr. Shulman: A supplementary: Is the minister satisfied with the present arrangements?

Hon. Mr. McKeough: I'm satisfied that they're satisfied, yes.

Mr. Speaker: The member for Rainy River.

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. Reid: Mr. Speaker, I have a question of the Minister of Colleges and Universities.

Has he received the letter from, I believe, the chairman of the board of governors of Lakehead University stating that they may have to lay off a large number of their staff because of financial constraints? Has he come up with any programme to assist colleges and universities facing these kinds of problems?

Hon. Mr. Auld: Mr. Speaker, I haven't received a letter from the chairman of the board in the Lakehead.

Mr. Stokes: We all have.

Hon. Mr. Auld: Perhaps the hon. members have a better connection with the mails than I have.

Mr. Stokes: I have already sent the Premier a copy of it.

Hon. Mr. Auld: At any rate, I will not be surprised if some of the colleges have to reduce some aspects of their staff operations because of the constraints that they face. On the other hand there have been, in the college field particularly, changes in staff up and down since their inception; because their course operations are a lot more geared to local demands—and local demands fluctuate. Of course, in the Manpower programme which we supply and which is paid for by the government of Canada, for which the government of Canada decides the number of students, this fluctuation has taken place in the past and will no doubt in the future.

Mr. Reid: Supplementary, Mr. Speaker, if I may: Because of the uniqueness of the situation—Lakehead University being one of the two universities or colleges in northern Ontario—will the minister not give some special consideration; because it could perhaps mean, to look at it in its bleakest light, the end of the university there?

Hon. Mr. Auld: Mr. Speaker, I am sorry, I misunderstood the hon. member. I thought he was talking about Confederation College. Lakehead University now receives special consideration, along with Laurentian, and there are provisions in our budget proposals next year to continue this.

Mr. Foulds: Supplementary, Mr. Speaker, if I might: Could the minister give us the assurance that Lakehead University will not close; because the faculty is receiving a number of anxious requests from students in the area?

Mr. Bullbrook: They can mortgage their buildings. A new approach.

Mr. Foulds: Secondly, could the minister not work out in his BIU a weighting factor similar to that in the secondary and elementary school panels, which would take into account on a yearly budgeting system the sparsity factory, the ethnic and the socio-economic makeup of the students in the university as well as the extension courses?

Hon. Mr. Auld: Mr. Speaker, in answer to the first question, I would be amazed if Lakehead University were closed.

Mr. Foulds: What would the minister do if it did?

Hon. Mr. Auld: I can't stop them. To be technical in my answer, I can't stop them if they decided that they wanted to close. But I think that is unthinkable.

Mr. Foulds: Would he move heaven and earth to keep them open?

Hon. Mr. Auld: In answer to the second question, we do now have certain additional factors to deal with unusual problems. I have asked the Council on University Affairs, which is now meeting with the universities, to look at the present BIU formula, because everybody agrees it's unsatisfactory. The problem is that nobody has been able to agree on how it should be changed; because if we are talking about the same number of dollars and we increase the factor for some institutions then there will be a decrease to others.

Mr. Speaker: The hon. member for Ottawa Centre.

TORONTO BASEBALL FRANCHISE

Mr. Cassidy: Mr. Speaker, a question of the Minister without Portfolio for the Carleton riding: I'm not sure what responsibilities he has right now, but can the minister say, in view of his trip to the United States last week, what priority this government is giving to bringing a major league baseball team into the Toronto area, or possibly into Ottawa?

Hon. Mr. Handleman: Mr. Speaker, I'm honoured that the member should ask me a question. I wish he had asked at the beginning of the question period because I could have spoken for an hour in reply to him.

Mr. Ferrier: We are all ears.

Hon. Mr. Handleman: I would say, however, that this government is only providing

support to Metro Toronto in its efforts to attract major league baseball and will continue to do so until it is successful.

Mr. Roy: Is that what he is doing?

Mr. Speaker: The Minister of Natural Resources has the answer to a question.

MINERAL PRODUCTION STATISTICS

Hon. Mr. Bernier: Mr. Speaker, last week the leader of the New Democratic Party asked me a question about taxes paid and reported by the mining companies for the years 1971, 1972 and 1973.

In response to his request I am tabling the data for 1971. Those for 1972 have not been received from the Ontario Statistical Centre as yet. I indicated in the House on Nov. 25 that the figures were not available in the same format as before.

The Provincial Auditor publishes the annual figures on tax revenues in Ontario, including those under the Mining Tax Act. I am pleased to enclose copies of the recently published figures for the fiscal year ending March 31, 1974, and for the two prior years, showing the total mining tax revenue for each year. It was $46,309,367 for the fiscal year 1973.

Mr. Lewis: The minister has to be kidding.

Hon. Mr. Bernier: Then $16,344,101 in the fiscal year 1972; and $13,322,701 for the fiscal year 1971.

Mr. Lewis: That's less than one per cent of the gross production.

Hon. Mr. Bernier: During the year 1971, several of the large mining companies in Ontario accumulated large inventories of refined metal that they were unable to sell owing to the recession of the 1970-1972 period. The alternative would have been to cut production, which would have undoubtedly resulted in major labour layoffs. Beginning in the spring of 1971, one major company began accumulating its unsold refined metal in inventory for a period of about 18 months, reaching a peak position when there was seven to eight months' supply on hand. It took them almost two years to reduce their refined metal inventory to an acceptable level of about three months' supply.

It should be noted (1) that the taxation year under the Ontario Mining Tax Act is the year in which the product is paid for in the market, and not the year of production; (2) that the taxation year is the mine's normal accounting year, usually the calendar year, and the tax is paid during the following year; and (3) that the Ontario government figures on tax revenues are for the provincial fiscal year ending March 31.

I would point out, Mr. Speaker, in dealing with the mining tax that where there are no sales, of course there are no profits; if there are no profits on the mine, there is no tax, and small profits mean small tax.

Mr. Lewis: May I ask a supplementary question, Mr. Speaker?

Mr. Speaker: We are two minutes over the question period now.

Mr. Lewis: But that should have been a ministerial statement.

Mr. Speaker: Well, the question period was just on the verge of expiring when the minister started his answer. I'll allow you one supplementary, if it won't take too much time.

Mr. Lewis: In light of the figures which the minister has just given, how does the government, of which he is a part, justify taking taxes from the mining sector in 1972 and 1973 which represent less than one per cent of production?

Hon. Mr. Bernier: Mr. Speaker, if the hon. member will look over my statement, he will understand why I went to such length to detail the reasons. I'm sure once he's done that, he'll know why.

Mr. Lewis: The minister is tabling it, is he?

Mr. Speaker: The oral question period has expired.

Petitions.

Mr. Reid: Mr. Speaker, I wonder if I could rise on a point of order before the orders of the day.

We all have in front of us—and they are being read as carefully as if they were a bill to increase our pay—the maps in relation to the changes in ridings. I would like to bring to your attention, sir, that northern Ontario, which is two-thirds of the land mass of the Province of Ontario, is once again shown as being slightly smaller than the ridings of Ottawa. I would like to bring to the members' attention that in fact two-thirds of the land mass of the province lies in northern Ontario, and I think that should be printed on these maps.

Mr. Singer: Very good.

Mr. Speaker: It must be a point of order.

Mr. Breithaupt: It is a point of view, at least.

Mr. Speaker: Presenting reports.

Hon. Mr. Auld: Mr. Speaker, perhaps the hon. member would prefer to read this one.

Hon. Mr. Auld presented the financial report of Wilfrid Laurier University for the year ended April 30, 1974.

Mr. McNeil from the standing resources development committee presented the committee's report which was read as follows:

Your committee recommends that it be allowed to sit concurrently with the House today, following the question period, to consider Bill 134, the Employment Standards Act, 1974.

Mr. Speaker: Shall this report be adopted?

Mr. Breithaupt: Mr. Speaker, if I may make a comment on this matter generally, would the government House leader give consideration to encouraging the standing committees to perhaps arrange their time so that we would know whether the usual caucus morning, which is Tuesday morning, could be kept for that purpose rather than going ahead with standing committee meetings? With the committees meeting otherwise on Wednesdays, perhaps some consideration could be given to this point so that the one period of time, which I believe all three political parties use on Tuesday mornings, could be kept for that purpose?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): I wasn't aware that this was creating a conflict, Mr. Speaker, but I will certainly investigate the suggestion made by the hon. member.

Report agreed to.

Mr. Speaker: Motions.

Introduction of bills.

Hon. Mr. Winkler: In the absence of the Treasurer, I move, seconded by the Minister of Labour, that leave be given to introduce a bill entitled, An Act to amend the County of Oxford Act, 1974, and that the same be read a first time.

Mr. Deans: On a point of order, Mr. Speaker, the Minister of Labour is not in his seat.

Hon. Mr. Winkler: I beg your pardon, Mr. Speaker.

Mr. Lewis: Just have it seconded by the Provincial Secretary for Resources Development; he will second anything.

Mr. Deans: He does have to be in his seat.

Hon. J. P. MacBeth (Minister of Labour): I apologize, Mr. Speaker.

COUNTY OF OXFORD ACT

Hon. Mr. Winkler, on behalf of Hon. Mr. White, moves first reading of bill intituled, An Act to amend the County of Oxford Act, 1974.

Motion agreed to; first reading of the bill.

Hon. Mr. Winkler: Mr. Speaker, by way of explanation on section 1, the county council is empowered to appoint an acting warden, either on a specific occasion when the warden is absent or on a more permanent basis, the Act from time to time is required by reason of the absence of the warden.

In the second section, the section is repealed: "empower the Treasurer of Ontario to establish a police force for the whole or part of the county on the request of the county council."

In section 3, the effect of the amendment is to permit the county to become a member of any union of Ontario municipalities, to permit its employees to become members of any municipal association for improving technical skills, and to pay tuition fees for its employees enrolled in college or university courses that will assist them in the discharge of their duties.

Section 4 of the amendment removes any limitation on the county council to make annual grants to any person, association, or area municipality engaged in works that in the opinion of the council are for the general advantage of the inhabitants of the county.

In section 5, the amendment will give greater flexibility to the county in setting the fees to be charged to persons using its waste disposal sites.

In section 6, subsection 1, the trustees of the police villages named are deemed a commission established for their existing hydro-electric systems and are deemed to be local boards of the townships of Blandford and Blenheim.

Subsection 2 is complementary to subsection 1.

Mr. Deans: I wonder if I might inquire of the House leader when he anticipates the Workmen's Compensation Board appearing before the resources development committee?

Hon. Mr. Winkler: It's difficult to schedule it, Mr. Speaker, as the hon. member will know, because of the committee sittings right now. But as soon as that is clarified I'll be very glad to call the Compensation Board on an agreed date.

Mr. Deans: We are running out of time.

Mr. Lewis: May I ask, by way of clarification, has the House leader got a target date for adjournment which he might reveal to the House? And are we likely to have the Workmen's Compensation Board before the adjournment of this session?

Hon. Mr. Winkler: In answer to the first question, I suppose that following a discussion with my cabinet colleagues tomorrow morning I would be able to answer that definitively.

In the case of the second one, I am not certain. It would depend upon the answer to the first one, and I shall endeavour to schedule it to the benefit of all concerned.

Mr. Lewis: I am sure; thank you, Mr. Speaker.

Mr. Breithaupt: We are not sitting tomorrow, so when will he tell us?

Mr. Lewis: We are not sitting tomorrow?

Hon. Mr. Winkler: No.

Mr. Lewis: Why are we sitting today?

Mr. Speaker: Orders of the day.

TRAVEL INDUSTRY ACT

Mr. Drea, on behalf of Hon. Mr. Clement, moves second reading of Bill 165, An Act to regulate the Business of selling and dealing in Travel Services.

Mr. Speaker: The member for Perth.

Mr. H. Edighoffer (Perth): Mr. Speaker, I am very happy to make a few comments regarding Bill 165, An Act to regulate the Business of selling and dealing in Travel Services.

I was most pleased that the minister, and now his parliamentary assistant, have seen fit to bring this legislation before the House. I recall during the estimates of the Minister of Consumer and Commercial Relations (Mr. Clement) I made a number of comments on the travel industry and about the press releases made by the minister's parliamentary assistant and the fact that I felt certain this type of legislation was necessary.

I think, Mr. Speaker, that there have been many travellers in the past who have found themselves stranded overseas; or even those who have been unable to get off the ground. I would say now that our party will support this bill, since we have been suggesting legislation such as this for some time. We want to protect consumers from fly-by-night operators.

I noticed since this legislation was introduced a few days ago, the London Free Press did make a comment or two, as well as other papers. It was noted in a London Free Press editorial, and I quote:

> Travellers who, in the past, have been abandoned overseas by unscrupulous tour operators, will gain no solace from the Ontario government's plan to create a fund as a hedge against future round trips turning into a one-way journey. But future travellers can applaud the government's belated attempts to put some integrity back into the travel business.

Now according to statements by the minister and his parliamentary assistant appearing in the press—which I've collected very carefully—I presume much consultation has gone into this legislation, particularly with the travel agents and the travel industry in general. I feel this is the way legislation should be drawn up, and I hope that it will be a solution to strengthen the industry and to be more responsible to the consumer.

In the five points outlined in this legislation, we first of all find provincial licensing of all travel agents, their employees and travel wholesalers. We also have the requirement for an agent or wholesaler to post a $5,000 bond. There will be protection for the consumers' deposits. There will be an industry-financed compensation fund and then we come to the control of advertising.

Mr. Speaker, I believe that all these five aspects of control are worthy of our support, but I still wonder why Bill 55—which has not received royal assent but will in due course—does not cover the control of advertising in this industry.

The minister said the reason for legislation of the type set up in Bill 55 was to save the time and expense of controlling each industry individually; so I just hope this reference in Bill 165 isn't the start of many other industry controls.

However, I did note in the minister's opening remarks in regard to advertising, that there probably might be some "tantalizing

extras" in the advertising, so maybe that's one of the reasons we need this extra section in this legislation.

There are really just two areas that concern me most. In the first area, I am wondering what control is in this legislation for the traveller stranded overseas, and what assistance there will be for such cases. Will he be able to catch the next flight home, or will he only receive relief from the compensation fund after he finally finds his own way home?

There is the other section which causes some concern. I would like to know what will really take place with this compensation fund. Will it put small agents out of business because of the cost; or will it turn the Ontario travel business from a reasonable service into a very expensive service for the people of Ontario?

Mr. Speaker, this legislation is similar to most bills that come before the House. Really, the guts of the document are in the regulations which allow the Lieutenant Governor in Council to make the important decisions. But I hope that the final steps will prove to be of assistance to the travellers, and of course weed out the fly-by-night operators.

Mr. Speaker: The hon. member for Lakeshore.

Mr. P. D. Lawlor (Lakeshore): Thank you, Mr. Speaker; there are several points.

The member for Perth mentioned that this is the way legislation should be drawn up. Well for my single self, I think this is the way that legislation shouldn't be drawn up.

How come that all the substantive, all the meaty matter in the legislation is relinquished to the last section on regulations? The real purport, the strength, the weight of the legislation, is found there in the most skimpy form imaginable.

Anything to do with fees, anything to do with bonding, anything to do with trust funds protecting deposits, anything to do with the so-called compensation fund, is all set forth in about two-and-a-half words. For the balance, the government goes through the ostrich exercise, the perpetual dance in the sun of incorporating all these clauses that appear ad nauseam in licensing bill after licensing bill.

The government can say that the first 15 clauses are to be as they are in the governing tribunal regulations, touching all forms of licensed agencies in the province, and save itself a good deal of printed matter in the course of the legislation.

To get to some of the main points, I look at the minister's statement at pages 3 and 4 of the statement. He first of all mentions the Air Transport Committee of the federal Canadian Transport Commission, and says it's been quite meaningless giving consumer protection, but fairly adequate in protecting the airlines themselves, for instance.

Then he also mentions the Air Traffic Conference of America, which confers agency status upon these firms. At page 3 he says the requirement by airlines that agents pay within a maximum of 20 days puts a further financial strain on the agents, which is much more helpful to airlines than to consumers. My difficulty in that particular head is that if the minister is going to safeguard customers' deposits in this particular way under the Act —whatever the particular way is, one can't glean it from reading the legislation— and if the agents themselves have to turn over the funds to international airline companies within a certain period of time and long before the flights take place, what real, actual, immediate, definite control has the minister over those funds in hard common sense? Do they not escape through the net of his legislation into hands which, constitutionally and by de facto existence, do not fall within his jurisdiction to control?

Has he given that due consideration? Is the reason he didn't embody a proper trust clause in his legislation that he is still trying to work out that particular kind of machinery as to who will be protected and how? Or is there some other problem?

As far as the Commercial Registration Appeal Tribunal is concerned, is it the minister's intention to see placed on that tribunal adequate representation from this particular industry? Are they to be governed by those whose interests and whose range of intelligence are foreign to the specific type of business involved here? Has the minister plans for the future in that particular regard? If so, precisely what are they?

As to the compensation fund, as I say it's a fairly threadbare section. If the minister has any prevision that he can vouchsafe to us, what is the range of that fund? How much does he expect the contribution to be? He has indicated in the ministerial statement, but not within the terms of regulation 26(e), that the bonding will be $5,000 and that he feels that's adequate. I thought he might be able to make a more determined position on that.

Then when we come to the compensation fund sector, it's completely up in the air, totally amorphous.

I have had telephone calls from agents in this regard. They are a little worried about putting themselves out of business, or the government putting them out of business by the kind of levies it makes for this fund. They're most interested on this occasion, on second reading of this bill, to learn what precisely—if the minister has any prevision—he has in mind in this particular regard. Or is it to go through the House to its final determination without any definition at all?

In my opinion, that would be a kind of irresponsibility, a failure to meet a fundamental requirement of the industry. He is going to set up the fund and make it industry financed, but at the same time, he gives no indication as the legislation becomes law as to precisely what the minister has in mind in this particular matter.

For the rest, we can handle the matter in its details and steps within the terms of a committee. That is what we are prepared to do.

Just one other thing: Are the big carriers of all kinds, railroads, etc., located with head offices or even any branch offices in the Province of Ontario, specifically required to register within the terms of the legislation; and do all the clauses in section 11 apply? Is the minister going to seek to make them apply as to equity capital, shifts in equity capital holdings of 10 per cent which would require review of their position, and transfers of shares within that corporation? Are those to be constantly fed into the tribunal and to the registrar in order to police this thing? What are the minister's plans in that regard; and does he anticipate the complexity of the machinery that will in my opinion be necessary in order to make that effective?

Mr. Speaker: Does any other hon. member wish to take part? The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Mr. Speaker, I think this is a well intentioned bill, but I am always concerned about the attempts of our bureaucracy to regulate any operation, whether it be this or be a matter of law, or whether it be the investment business. The fact is that so often when we try to do it here we end up with a huge book of regulations that are designed by those, who really want, I am sure, to have the thing operate right, but just frustrate the legitimate operator and are very little impediment to the smart operator who wants to get around it, and so often is able to do so. They force people to operate at considerably greater cost than would be the case if industry itself had a major share of the responsibility. I still prefer the procedure whereby, whether it be the law society or the engineers association, the province gives that body responsibility to do the job, with public representation to ensure that if there are complaints there are people outside the actual business itself who can be responsible for ensuring those complaints are dealt with properly.

I see that most of the things we normally would expect to be insisted upon are going to be insisted upon in this in the way of audits and statements and insurance, but I don't think the limits are anything like the limits we could expect if we said to the industry, to begin with: "This is what we want. We want this sort of coverage. You work it out and you control it." In this way we, in effect, are trying to build up our own compensation fund. I am afraid that in the end the public will find that something will happen that is of a catastrophic nature, well beyond the amounts that are provided for in the fund and therefore will have to be covered at the expense of the general public.

At the same time, if such a thing does happen we will have even more regulations and more frustration for the legitimate operator. It is for that reason that I support the object of the bill, but I think that once again this ministry is moving in the wrong direction in the way of providing efficient, effective low-cost control of a legitimate business.

Mr. Speaker: Is there any further discussion on second reading? The hon. member for Peel South.

Mr. Lawlor: Be careful not to tread on the toes of the parliamentary assistant.

Mr. R. D. Kennedy (Peel South): There is no risk of that. It is such an excellent bill there will be no criticism. I have nothing but good to say about it.

As members know, Mr. Speaker, I did have a resolution on the order paper calling for some such similar regulation to protect the travelling public. I know that the parliamentary assistant to the minister has worked very hard over the course of the last few months to develop this bill. I think they've come out with a pretty good piece of legislation.

The explanation note at the front of the published bill shows the main thrust of it. I know that people in our area, some of whom suffered financial loss and extreme disappointment last year when Cardinal travel agency went bankrupt—and it wasn't the first one, we read periodically of bankruptcies and people stranded and all this type of thing—

people in our area will be very pleased to know and to see that one of the provisions is liability for the return of deposits paid by customers.

The bill can only be a step in the right direction. I'm pleased that it's come forward. The only concern I would have, and I think it should be made clear, is whether or not this is a guarantee to save everybody from all the problems and things that could go wrong. I don't know that we should stress that it's going to do things that it won't do. I guess the world's imperfect, so perhaps this legislation is imperfect.

Presumably the provision for bringing in regulations as needed is adequate. The parliamentary assistant might comment on that. The fact that a change could be made as needed, as situations arise that we don't perceive at the moment.

With those few comments, I'm pleased, at last, to see this. I hope anyone who has had unhappy experiences in travel—I was going to use the term "travel agencies", but that's an unfair designation because there are others involved, other than agents—however everyone who is involved in this industry, where problems are created, will be pleased that there is now going to be some sense of security so they can go forward making arrangements with confidence.

Mr. Speaker: Is there any further discussion on second reading? The hon. member for Scarborough Centre, the parliamentary assistant.

Mr. F. Drea (Scarborough Centre): Thank you, Mr. Speaker. Before going into replies to the very welcome questions that have been posed, particularly by my friend the member for Perth, I would like, just for a moment, to go into some of the chronological background of this bill.

There have been suggestions that this government, and particularly my minister, have been belated in their attempts to come to grips with the problems. Mr. Speaker, it is a matter of record that in 1970 at the federal-provincial conference on tourism, the federal government, which had been considering legislation to protect the consumer in this field, finally announced it was incapable of doing so because it did not have the staff within the then Ministry of Transport.

At that particular time the Provinces of Quebec and Ontario committed themselves to one final attempt to have the federal government assume its much more rightful position in this area compared with that of the provinces. Mr. Speaker, that failed.

Consequently, both the Province of Quebec and the Province of Ontario have moved forward, side by side. I am very pleased to announce that today my friend Mr. Simard, the Minister of Tourism, Fish and Game in Quebec—the legislation in that province is in his ministry—has gone through the plenary commission and Bill 19 in that province, which is an Act to regulate the travel industry, probably will get third reading later this week or early next week.

I may say that we have had a great many consultations with the Province of Quebec through their Minister of Tourism, Fish and Game. I think in very few areas has there been the type of interprovincial co-operation there has been regarding this particular industry. I say again, it has always been our opinion that the federal government, because of its jurisdiction over the common carriers, its jurisdiction over landing rights into this country, its jurisdiction over charters, its participation in IATA and the fact that only it could meaningfully negotiate with the American operators has meant it had primary jurisdiction. Until this bill is passed travel agencies in this province and in other provinces have been regulated by ATB and the Air Transport Committee. If we were in difficulties in this country with a particular American operation, it would seem to be much more logical that the federal Ministry of Transport, or the Ministry of External Affairs, or indeed the Prime Minister of Canada's office, should more logically deal with the United States.

It has been a particular concern of ours that we were not to be accused of intruding into a so-called federal jurisdiction, and I say to you, Mr. Speaker, one of the difficulties—not only for the Ministry of Consumer and Commercial Relations in this province but for the Ministry of Tourism, Fish and Game in Quebec—has been the fact that constantly we have been, by innuendo, cautioned even to the extent of harassment by the federal government, that they regarded this as their jurisdiction even though they were prepared to do nothing.

I think we have accepted our constitutional obligations honourably and responsibly in a great many areas in that we have had to go a very circuitous route to avoid intruding upon federal jurisdiction. That has taken time and that has taken effort and, quite frankly—and I don't say this particularly within our own province—some ingenuity, as has been demonstrated by the Assistant Deputy Minister of Tourism, Fish and Game in Quebec, Mr. Robert Prevost. This has required a great deal of time.

Again, coming back to the belated answer to the question, I would like to say that in this area we have no apologies. We have been very careful to produce the kind of consumer travel protection package that would allow the little travel agent to continue in the business, but at the same time would have tight enough regulations that those who chose to operate in a dishonest or a fly-by-night manner would not be able to hide behind the inability of the smaller but very reputable travel agent to cope with rather expensive or very detailed regulations.

Quite frankly, had we been prepared to sacrifice the smaller agent in this province we could have introduced this legislation much sooner. But, Mr. Speaker, I want to say to you that as long as I am involved in legislation, I do not believe in punishing people just because they are little. I think when people have built up a reputation over the years—and mind you, Mr. Speaker, it might be just a man, or a man and his wife, or a man and his wife and one or two children in an operation—I think when they have dealt honestly and fairly with the public, when they have used their talents for the betterment of the community, I think it ill behoves the government to say that we have now come to the regulatory stage and it is very easy to regulate only the big, and therefore these others will be penalized because they're little.

I can assure the House—and I will come to it in a detailed answer to the member for Lakeshore—that we have been most conversant with the economic problems of the small agent. We have, I am hopeful, achieved a package of protection for the traveller that will allow the small agent, not only to continue in business but will be of such little economic dislocation to him that he can indeed now offer to his customers this package of protection at a business cost of approximately $9 a week in the first two years, and hopefully after that perhaps as low as $4 or $5.

I have met with many of the smaller agents in this province and they say quite frankly they never thought the government would have the degree of consideration that we have had for them. So we have worked very hard to ensure that the small operator will not be punished by virtue of the fact that he is small. I think that people should be rewarded for their honesty and their business ingenuity. I think they should be punished for their lack of those two qualities, not for the size of their operation.

Mr. Speaker, I would just like to disagree a moment with my friend the member for Perth. I think he mentioned there are five parts. I suppose that stems from one press release.

Basically, the package of protection is in four parts. We are going to register every travel person in this province. Naturally that means we are going to register the travel agent. We are going to register the travel wholesaler, or the tour operator. But we are also going to register every travel agency employee. We are obviously not going after the secretary and we are not going after the phone operator. We are talking about the people who are actually in a position to merchandise tickets or travel or accommodation or what have you.

I would suggest to my friend from Perth that this doesn't just mean people who are in an office. We are going to take a long look outside at people who have other occupations and who are talking about a flight here or travel there or what have you and never quite get around to telling the people to whom they are talking about it that they are indeed hustling tickets for an agency or for a tour operator. They are going to have to be licensed. Obviously, the travel agent is going to have to be licensed, as is the tour operator.

As for the bonding, frankly, Mr. Speaker, the bonding is not in terms of financial protection to the consumer. Rather it is a means of determining—and I think a very fair means of determining—the solvency of the operator.

Quite frankly, it would have been very easy for this government to say: "We want a $100,000 bond from you and you can continue on in the travel business." I have been assured that at $100,000 the bonding industry of this country was prepared to bond about seven companies in Toronto. They wouldn't touch a single small operator, because there were no assets to back up a total forfeiture bond of that kind. So the $5,000 bond, which incidentally will cost, in terms of a premium—for the information of the member for Lakeshore—between $75 and $80 a year, is really a solvency device.

In the first instance, it would have imposed an awesome economic burden upon the small operator to produce an audited financial statement within a brief period of time. That would have put them out of business. Rather we have gone this route; that, yes, if the person does receive a bond and somehow becomes a business miscreant, well then there is $5,000 there. But the $5,000 is very incidental.

I think, too, that this ministry at this time does not want to be in the position of looking into people's books, looking into their operations, having to have them justify their background and so on and so forth. We would prefer it to be a rather business-like procedure where they apply to a bonding company. The bonding company does the investigations in a very impersonal manner. If one has the bond, he is qualified to be registered. If he does not have the bond, he still has some procedures to come to government with; but if his bond has been refused because of his past track record, his bankruptcies, his insolvencies, his general lack of business ethics, then I suggest we are not going to register him.

The question has been raised here about the second point of the package, which I call the standardization of advertising. I think the member for Perth has raised what to a layman would appear to be a contradiction between Bill 55 and the sections in this Act.

Quite frankly—and I think at the end he touched upon it himself—this is so specialized a field of advertising that we felt it would be very unfair to the operators themselves to leave it within the general confines of Bill 55; in the same manner as there have been some suggestions that we really don't need Bill 165 at all and that the whole problem could have been treated within the confines of section 2 of Bill 55.

I really think that this is a specialized field. Indeed the travel agent very often must rely upon the honesty of others at another level and beyond our jurisdictions to punish. For example if a hotel or accommodation or a particular type of tour outside of Ontario, or indeed outside of Canada, turns out to be not what the person expected, I think that there has to be a specialized way that we can treat this matter within the general confines of the travel industry, rather than treating it as an overall advertising problem.

I will be quite frank, though, that we are going far beyond what most people think of in terms of advertising. We are not just talking about media advertisements. We are talking about brochures; we are talking about handbills; we are talking about the things that are put on company bulletin boards and underneath windshield wipers. We intend to have a licence number on all of those. We want to find out who is offering the flight, where it is going from, and what is going to happen on it. The only way we can find out is to know who the person is who is offering it. And it's going to have to be a lot more than a post office box at Malton. It is going to have to be a physical location in this province; and we want to see the licence.

If it turns out that the person who is working next to you really is a travel employee, or indeed a travel agent, and has been hustling this as a good thing for the social club or the rest of the community, we have steps to put an end to that. So at least if you want to take a trip, it will be on the basis of what you decide to do, not on the basis of what a shill has been hustling you for on the side.

Mr. J. E. Bullbrook (Sarnia): The hon. member sounds as though he is enjoying this kind of Gauleiter role.

Mr. Drea: I am sorry?

Mr. Bullbrook: It might be necessary in the legislation, but I must say the member is enjoying it.

Mr. Speaker: Order, please.

Mr. Drea: I always love putting a crook away.

Mr. E. Sargent (Grey-Bruce): The member should take his hands out of his pocket.

Mr. Bullbrook: Sometimes even without instructions, eh?

Mr. Drea: No, no.

Mr. Speaker: Order, please; I wonder if we could return to the principle of the bill?

Mr. Drea: Now, Mr. Speaker, always with a trial. I like to make sure the wealth is distributed among the needy class who have graduated from the various law schools.

Mr. A. J. Roy (Ottawa East): The law schools?

Mr. Drea: Well the member didn't, so don't bother.

Mr. Roy: I didn't what?

Mr. Drea: Mr. Speaker, the third part is the protection of the deposits. Again, I want to address myself to some of the concerns of my friend the member for Perth.

Mr. Speaker, in the first instance we are talking about the protection of the deposit. We are not talking about protecting the integrity of the flight, or of the trip. Short of entering into the travel business—and I know of really no way that we would want to—if a person makes a deposit on a trip and does not get their trip, what we are saying to them is: "You will get your money back and

you will have the opportunity to try somewhere else to get the trip." We intend to protect those deposits, because we intend to have them treated in trust.

I am going to be quite candid with the House, Mr. Speaker. We are not going to involve them in an absolute trust at the beginning. Again, this would be a tremendous economic hardship, particularly upon the smaller operator. And it's not the smaller operator, really, who has created the difficulty over the years.

Nonetheless, the travel agent or the travel employee or the tour wholesaler are going to have to account for the money. If the trip or the tour or what-have-you does not come off, and they cannot repay and we have to repay out of the compensation fund because of their default, for any reason; then Mr. Speaker, I suggest to you that person has seen his last day in the travel business. I know of no other way.

Frankly, I suppose, we'll be accused of being too harsh. But they are using other people's deposits, which incidentally are compelled to be paid by law and compelled by laws which are outside the control of this jurisdiction. The fact that you have to put a deposit, and a great many additional deposits upon a trip, is not a business practice, Mr. Speaker. This is required by the people who have control of the artificial ticketing standards and prices at the international level.

It is all very well to say that this has become an accepted business practice, Mr. Speaker, but it is enshrined by the fundamental failure of those at the international level through IATA, or at the national level in this country through the air transport people, to have a little bit of concern for the consumer.

Until Ontario and Quebec decided to do something about the consumer, any regulatory piece of legislation or regulation or ruling or what-have-you, even a policy, in this country and with IATA, has been to protect the airline. Customers, as far as IATA and national governments are concerned, are at the very end of the pole. The thing that counts is the profit and loss statement of the national airline or of the charter operator.

I don't even like to think these things about other governments. They might not be of our party, but I don't even like to think them of government. Yet, Mr. Speaker, you find out when you go there and say look, something has to be done, they start telling you that you have to think about Air Canada.

I think, and this ministry thinks, that Air Canada can think about itself. When one gets to the point where British airlines—not the big ones but some of their smaller ones—default on their charters over here and the federal government and the Air Transport Board are starting to tell us that we have to understand the economic problems of England, I have to tell them how about understanding the economic problems of the people who are stuck out at Malton. Then there is just dead silence.

Let's have no mistake about it. This is a 100 per cent consumer bill.

Finally, Mr. Speaker, I want to come to the compensation fund. We are going to require a funding at different levels. We are going to require travel agents to pay into a compensation fund. We are going to require tour operators or travel wholesalers or what have you to pay in at a different level.

Quite frankly, in the case of the people at the travel wholesale level, if anything happens to them, the impact of the loss is much greater. It passes on right down through the retail travel industry. The default by a travel agent, no matter how many branches he has, is rather minuscule compared to any economic problem that affects the tour wholesaler. The compensation fund will work very simply. We intend to build it up over a period of two years to roughly around $1 million.

Mr. J. A. Renwick (Riverdale): Is there any guarantee by the province until then?

Mr. Drea: No, none whatsoever. If I understand the member correctly, there is not a single penny of public or provincial, or whatever one wants to call it, money or guarantee going into this. This is entirely, as the minister's statement said, industry financed. Frankly, I think we would be very remiss if we were to guarantee the integrity of that. We would be into the mess the British government got into with the Court Line debacle, which so far has cost them over $19 million and still really hasn't resolved the situation where people's deposits were used by a bankrupt company. They never got their holiday or they were stranded in Europe.

Mr. Renwick: But the government is not going to guarantee each traveller that he will get the service he bargained for or get his money back.

Mr. Drea: We are going to guarantee each traveller that he will get his money back. There is enough money in there for that. I don't think it would be possible to guarantee

the traveller that he would get the exact type of service he purchased.

Mr. Renwick: I am thinking of the interim period until the fund is built up to $1 million.

Mr. Drea: With the proper precautions on registering and the initial amount of bonding, which is a financial investigation by professional people with the knowledge that these deposits are marked for trust, I think we will have enough at all times.

There may be, quite frankly, some difficulties. I say this with some candour to the member for Riverdale. Nobody really knows what's going on out there. They know, in general, what's going on out there, but there are a great many peculiar things that have arisen in the past few months that are going on. I don't really think we will know until we actually start to register the extent of that, but I am very confident with the compensation fund and with some other help that we can do this.

I will say this to the member in regard to the compensation fund, that it may very well be that within a brief period of time those funds may provide us with far more in terms of available seats, of available flights and of available tours, for use in the case of major defalcation, than the amount of money would indicate.

Mr. Speaker, I come now to rather detailed submissions. I hope that I have taken care of the rather broad questions that were asked by my friend, the member for Perth. I think that I have treated them.

I would like to come now to the hon. member for Lakeshore, who was concerned about the protection of funds. I think I have outlined how they will be protected. Again, he asks how we are going to protect funds that have gone to airlines which are outside of our jurisdiction. We are going to register airlines, bus companies and railways; not when they act as a common carrier, because that is outside of our jurisdiction, but when they offer something that they cannot do themselves. When Air Canada offers to get you a hotel room, then Air Canada is a travel agent, by our definition, because they're not getting you a hotel room out of the goodness of their soul, but are receiving a benefit from it. At that point they become a travel agent.

I recognize the difficulty, and it has been pointed out to me that this could become an administrative nightmare. We think we have resolved the situation with the common carriers. We will treat them in terms of their contribution to the overall protection, much the same as the Highway Transportation Board treats Canadian National and other carriers when they do not qualify under the terms of the Highway Transportation Board's general insurance provisions. In return, because they are self-insured and large enough to do so, they post a rather substantial punitive bond with the board that can be used in the event they default on any of the obligations they have entered into.

Certainly any American carrier that is in here, Mr. Speaker, and advertises that it will get a hotel room or something else is going to have to register. I assure the hon. member for Lakeshore that if any of the American or the foreign carriers don't register I have every intention of carrying out the words that have been attributed to me in the travel press. It may very well be that my friend the Minister of Correctional Services (Mr. Potter) may have to upgrade the standards of his hostels, but these people are not above the laws of this province and they are going to have to obey them.

I think that when one takes a look at the fact that if these funds do go to the airlines —and we're talking about foreign airlines now —and they are still earmarked with that trust and that guarantee and that protection package, it won't be a question of just money down the drain and people thumbing their noses, because we will have sureties and protection from those airline companies and from other common carriers.

It may be of interest that one of the major —well I shouldn't say major, because it certainly wasn't in hundreds of thousands of dollars, as some ones were last spring—one of the substantial business failures this year was with a travel agency that had people going on bus tours. Now if members even ride the subway they will notice that Gray Coach, for instance, offers package tours—so much to go to Florida with so many hotels and so on. In that capacity they are acting as a travel agent. When they are Gray Coach and taking a member or I out along the lakeshore highway they are a common carrier. We don't intend to interfere with them in that, but they are going to have to conform to our overall legislation in other areas of their activities.

Secondly, the member asked about our plans for the future. Well quite frankly, one of the difficulties in meeting with the travel industry in this province—and I'm sure the hon. member for Lakeshore is aware of this—is that there really is no travel industry. There are people who speak for a sizable group

within it in terms of volume, but numerically they are small. There are a lot of small agents who have been trying to organize themselves so that they can speak. There are a number of tour operators, but there is no industry association that really represents every one across this province and can speak for them.

Frankly, it is my hope that on the basis of this bill and the rationalization of the industry that will come about from it, an industry-wide association can be formed, and that within a reasonable period of time that association may assume many of the day-to-day responsibilities that at the moment will be performed by government—but mind you, Mr. Speaker, they would still be under the direct supervision of government.

Again, I think there was a question as to whether we would have a travel agent or someone familiar with the travel business as a member of the tribunal, which might hear applications for registrations and deregistrations and appeals. If the member were familiar with the Ministry of Consumer and Commercial Relations Act, he would know that that is already mandatory; so there will be somebody from the travel industry. I think that will alleviate his fears that people might be judged by others who were perhaps not conversant or didn't have the opportunity to be conversant with the industry.

Finally, I say to my friend from York Centre that I like bureaucracy even less than he does. We would have eminently preferred to go with as much self-regulation as we could, but I point out to you, Mr. Speaker, that to have self-regulation, you must have a bona fide, almost 100 per cent effective trade association; as I said in my reply to the member for Lakeshore, that just isn't there at the moment.

However, I want to assure the member for York Centre that if an association can be formed, and the people in the travel industry can demonstrate to this government that they really represent the interests of the travel industry in the province—and I don't say that in a derogatory way, for 90 per cent of the travel industry people in this province are the type of people you would want to invite into your own home.

But we have questions about the large operator or the small operator, the one who specializes in packaging tours, the one who specializes in international things. There are a great many intangibles that have to be solved before there can be an industry-wide association, Mr. Speaker, but I say to you, that if the industry will put its mind to forming a truly industry-wide association—and I am sure it can—within a very reasonable period of time, perhaps a year and hopefully within two years, we would be prepared to sit down with them and seriously discuss self-regulation under the umbrella of government supervision of this package of protection.

I closing, Mr. Speaker, I would be very remiss if I didn't point out to the House that Bill 165 is not the product of the minister or myself, or of the people who usually get credit for this. Our ministry is blessed with an admirable group of civil servants. Much of this bill results from the experience of our director of business practices over the years with the regulation of industry. We had a special solicitor, my friend Mr. Clark; and quite frankly, Mr. Speaker, the production of this bill, the scheduling of it, and the way it has come about, would have been impossible without his help and without the legislative skill of our senior solicitor in the ministry, Mr. Ciemiega.

We have listened and we have talked to as many people in the travel industry as we could seek out. I make no bones about the fact that from time to time we negotiated in the press, because I think the public has the right to know, particularly when it is their dollars that are going down the drain and it is their dollars that are going to be protected.

We have received excellent co-operation from the industry. We haven't always agreed, Mr. Speaker, but I am quite confident that with the four- or five-point package of protection we are offering now, and with the rationalization of the industry that will come about from it in this province and in the Province of Quebec, we will have achieved something for the travelling public within a relatively brief period of time. Again, I underline it is the first time in a long time that there has been any regard for the consumer. Thank you very much, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Lawlor: To committee.

Mr. Speaker: Committee of the whole House.

Agreed.

ROYAL ASSENT

Mr. Speaker: Before I entertain the next order of business, I might take a moment to inform the House that, in the name of Her Majesty the Queen, the Honourable the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

Clerk of the House: The following are the titles of the bills to which Her Honour has assented:

Bill 112, An Act to confirm Tax Sales.

Bill 128, An Act to amend the Income Tax Act.

Bill 132, An Act to amend the Ontario Universities Capital Aid Corp. Act.

Bill 136, An Act to amend the Land Transfer Tax Act, 1974.

Bill 143, An Act to amend the Dog Licensing and Live Stock and Poultry Protection Act.

Bill 148, An Act to amend the Ministry of Community and Social Services Act.

Bill 149, An Act to amend the General Welfare Assistance Act.

Bill 150, An Act to amend the Vocational Rehabilitation Services Act.

Bill 151, An Act to amend the Family Benefits Act.

Bill 155, An Act to incorporate the Algonquin Forestry Authority.

Bill 157, An Act to amend the Public Transportation and Highway Improvement Act.

Bill 158, An Act to establish the Ontario Energy Corp.

Bill 160, An Act to amend the Ontario Municipal Employees Retirement System Act.

Bill 162, An Act to amend the Coroners Act, 1972.

Bill 163, An Act to amend the Industrial Safety Act, 1971.

Bill 166, An Act to amend the Fire Departments Act.

Bill 167, An Act to amend the Police Act.

Bill 168, An Act to amend the Land Speculation Tax Act, 1974 No. 2.

Bill 169, An Act to amend the Corporations Tax Act, 1972.

Clerk of the House: House in committee of the whole.

TRAVEL INDUSTRY ACT

House in committee on Bill 165, An Act to regulate the Business of selling and dealing in Travel Services.

Mr. Chairman: Are there any comments?

Mr. P. D. Lawlor (Lakeshore): Mr. Chairman, I want to return for a moment to the tribunal. The parliamentary assistant has been good enough to mention—and it does come back to me now—that there is some provision for various industries covering the people in automobiles and the whole diversified field.

I don't remember the section that much. If you're going to appoint somebody as a representative of the travel industry, do you have to add to the committee or have you wide powers in this regard as to what the number or limitations upon the number in that committee may be or are?

Mr. F. Drea (Scarborough Centre): It is my understanding that we can add any number by the Lieutenant Governor in Council to a panel that would be specifically hearing travel industry appeals.

Mr. Lawlor: During estimates I would like to go into how that whole thing works. I don't think we should take time today.

Mr. Chairman: Is there any comment before section 4?

Mr. Lawlor: I have one on section 4, Mr. Chairman.

Sections 1 to 3 inclusive agreed to.

Mr. Chairman: Will the member for Lakeshore proceed then?

On section 4:

Mr. Lawlor: Yes. There are just several small points on section 4. On 4(1)(d), the applicant would not be entitled to registration or renewal in certain circumstances which are outlined here. One of them is where "the applicant is carrying on activities that are, or will be, if the applicant is registered, in contravention of this Act." I would trust that with the "will be" there would be plenty of information fed into the industry so that they will not by omission or ignorance fall prey to or outside of a new regulation. Have you any machinery to provide for that possibility or provide against that?

Mr. Drea: Could the member rephrase that again? I was trying to follow what he was getting at and I'm rather afraid I lost the trend.

Mr. Lawlor: It says the applicant is not entitled to registration or renewal under a number of conditions, the (d) part of which is: "The applicant is carrying on activities that are, or will be, if the applicant is registered, in contravention . . ." I'm worried about that future situation arising, where the applicant is ignorant of or suffers some omission to be informed of this new regulation, which will put him out of a job.

Mr. Drea: May I remind the member for Lakeshore that of course if the registration is turned down the applicant immediately has the right to go to the tribunal. First of all, the registrar may turn it down, but he can appeal to the commercial affairs tribunal and there he can state his case. I would also point out that in this particular area—and this section is consistent with our other regulatory legislation concerning industries—if they continue to carry on activities that are in contravention of the Act—because they are taking deposits here, they are supposedly holding deposits in trust, they are making arrangements at relatively long-term future dates—we don't want to get ourselves into the position that they've had in some other jurisdictions, most notably England, where, again by registration, a person was told to cease and desist and it didn't pertain to any future business that had already booked. They ran into some quite considerable difficulties, because these places or these operations stayed open on the basis that they had accounts that would not be satisfied for two, three, four, five months ahead. That has been one aspect of it.

First of all, in terms of the conditions under which people will be registered or deregistered, of course these regulations will be published. We will work with the industry before we develop the final form of the regulations. These regulations will be published, and again, I would share some concern were there not the appeal procedure in this province. Then, of course, as members know, after the appeal procedure there is always the appeal to the courts on the grounds of natural justice.

Mr. Lawlor: Working with the industry is really the answer to the question. The appeal wouldn't help if they've infringed, and when a clear infringement has taken place the courts and the tribunals are all bound by whatever that regulation would call for.

Turning to subsection 2, it reads:

> A travel agent or applicant for registration as a travel agent is entitled to have any place of business he specifies named in the registration. [That's fine.] except such branch offices as are in contravention of the regulations.

What can that possibly mean?

Mr. Drea: This is to avoid the post office box in Malton. We want people to have a physical office. It is envisaged that some one will have one physical place of doing business and then argue, on the basis of convenience, that he will set up a post office box or some other place of business that is specifically denied by the regulations. So what we are saying is, he can have any place of business he wants specified in his registration, but we are not going to allow him to put in his registration a place that is in contravention of the regulations.

The reason, again, is that he's going to have to post this licence. We want this licence posted in the place. We are not asking for a great big, huge wall-to-wall job or something. But we feel we have a duty to inform the public, and once the registration procedures come in, while we are saying that no one can be in the travel business without being registered, we also want the customers to see, before they part with their money, that they are registered.

In the long run it is not just a police method for us and it's not a harassment of the businessman. Does the person have a licence? Is the person who has that licence on the wall really supposed to be in these premises? Is he really operating under the terms of his registration? All of these things are going to have some impact upon his contributions to the compensation fund and upon the way that he will keep his funds in trust.

We have had a few cases such as this. Right now in one bankruptcy the RCMP, after seven months, are still trying to figure out who really owned the company. But we've had some of these where the person was transferring deposits from one branch office to another, coming all the way down. By the time it got to the end of the line of branch offices, that deposit had vanished, and all the way back up the line through the branch offices to the head office, nobody could explain where the money went.

If we are going to try and plug the loopholes at both ends, to protect the deposit at the start and to protect the ability of the trip to go through, or for you to get your money back at the end, then I suggest to you the prime thing is keeping a handle on these people.

Mr. Lawlor: Mr. Chairman, one final point. The next subsection says:

> An applicant is entitled to registration or renewal of registration as a travel salesman by the registrar except where . . .

The first one is, "he is a corporation." That's the one I want to light upon.

The subsection itself gives the right of registration and renewal as of right; that's what I take it the weight of it is. That unless other things supervene then they are ipso facto entitled to be registered. In other words, the benefit is conferred upon the one making the application and the government has seen fit to recognize this as having priority over government supervision saying that he wouldn't be registrable.

Mr. Drea: This is not a travel agent, you know. This is not a travel agent licence. This is a travel agency employee, or travel salesman.

Mr. Lawlor: Well, the beginning of the section has to do with—

Mr. Drea: No, subsection 2 is a travel agent. Subsection 3 is: "An applicant is entitled to registration or renewal of registration as a travel salesman . . ."

Mr. Lawlor: Yes—

Mr. Drea: That is an employee of a travel agent or a tour wholesaler.

Mr. Lawlor: Is the point then that a travel salesman can't be a corporation?

Mr. Drea: That's right.

Mr. Lawlor: Under any circumstances?

Mr. Drea: Because if you were a corporation we would expect you to take out a licence, and there are some reasons for this. We would want you to take out a licence either as a travel agent or as a tour wholesaler, because as a travel salesman, an employee, you would be making no contribution to that compensation fund.

We didn't want some corporations to avoid their contributions and their responsibilities to that compensation fund by saying, "We as a corporation are really just an association of travel salesmen. We are employed by this overall travel agent. Therefore, we don't have to make any contributions whatsoever."

Mr. Lawlor: All right, let me get this crystal clear now. Under no circumstances can a travel salesman incorporate himself?

Mr. Drea: Not and be licensed as a travel salesman. If he incorporates himself, he's a travel agent.

Mr. Lawlor: No, but he is working for an agency as an incorporated entity.

Mr. Drea: The answer is no.

Mr. Lawlor: Okay. If that is the way you want it, that's the way it is.

Section 11 is my next section, Mr. Chairman.

Sections 4 to 10 inclusive agreed to.

On section 11:

Mr. Lawlor: I'd like a simple explanation of section 11(4). The subsection reads:

> Where a registrant that is a corporation is aware that a transfer which comes within the provisions of subsection 2 has taken place [That's this 10 per cent business] it shall notify the registrar in writing within 30 days after such knowledge came to the attention of its officers or directors and not within 30 days of the entry of the transfer.

Why one 30 days and not the other?

Mr. Drea: I am informed that that first 30 days is within 30 days from the date of the transaction so that we can be informed immediately, rather than the second 30 days, which is from the time of the entry of the transfer.

Mr. J. E. Bullbrook (Sarnia): Does the member mean on the minute book?

Mr. Drea: Yes. We want to find out as quickly as possible which transfer is coming, because we want to take a look at the new people.

Mr. Lawlor: It the member saying that the entry of the transfer is a fairly technical concept and, therefore, that may be delayed, even though the directorate of the corporation know darn well that the transfer has either taken place or very soon will take place? They may not make the entry, in other words, until six months afterwards, and then they'd have an extra 30 days. Is that the kind of thing the member is saying?

Mr. Drea: That's right.

Mr. Lawlor: Okay.

Mr. Chairman: Are there any other comments, questions or amendments to any other section?

Mr. Lawlor: Section 18.

Section 11 to 17 inclusive agreed to.

On section 18:

Mr. Lawlor: Just a small point. I still would, I think, like to peruse it. In section 18 it says: "Where the registrar receives a written complaint . . ." Why must it be in writing? A lot of the complaints that come to the ministry come through by telephone. I don't understand. Why insist upon a written complaint?

Mr. Drea: This is kind of a sore spot with me, too. First of all, I think we should recognize that probably in the first instance the complaint does come by telephone. We begin to process it and we want some authorization to proceed. After all, the complaint may become the basis of deregistration; it may become the basis of an appeal tribunal hearing.

While a complaint may be brought to the attention of the registrar or the appropriate authority within the ministry, verbally or in any other way, nonetheless, at the time of investigating the validity of the complaint and launching what could be the deregistration of the agent, the salesman or the tour wholesaler, I think at that time we have to have some evidence that the registrar can submit in support of his position that this particular person should be deregistered. I don't think that limits at all the ability of the registrar to receive verbal complaints, either by phone or in person. Nonetheless, I think that we would be—albeit on some of the more interesting sections of Bill 55—in some difficulty at a tribunal hearing where there was absolutely nothing in writing.

When we try to establish a pattern of operations, I think the member himself could see that if we didn't have any verification in writing, it might lead to a great number of people being brought in just to say that, indeed, what had been transmitted to the hearing had actually happened.

But I agree with the member; it should be by phone. But when you are proceeding against somebody, I think that certainly, on the basis of his ability to know what is the exact complaint, he must be given something in writing. This is what I am talking about in having evidence.

I think that in defending a client—I shouldn't say defending; I don't think anybody is ever really defended before that tribunal. However, in trying to ensure that his rights were upheld, I think one would have a very difficult time and would be protesting quite vehemently about the registrar and our side holding back all of the evidence, if there was no opportunity to look at what is the detailed substance of the evidence and its merits.

Mr. Lawlor: Does it mean, though, that apart from filing an affidavit or a ministerial order, that the registrar on his own hook may not, having been triggered by a telephone call, make investigations?

Mr. Drea: I think that for practical considerations, unless a person is very far removed and the cost of a phone call is prohibitive, that the complaints the registrar receives in the first instance are generally by phone. I would want to see that continue because I think this is to facilitate the customer in seeking redress for what he feels to be a justified complaint in an industry that will be regulated by this government.

Mr. Lawlor: I take it that if a phone call came through and something seemed to be wrong, the registrar may say: "Well, I would like you to file your complaint in writing." But if the matter has some urgency, I would think that within the ambit of your legislation under the inspection sections or some other place he, on his own, without getting any more, and with nothing in writing, could proceed to make an initial investigation.

Mr. Drea: I can assure the member for Lakeshore that if he or she didn't, they would be unemployed. But at some point—and I think there is some validity for that section—if the complaint appears to be justified, there has to be some written documentation, because otherwise it would turn the hearing of that complaint before the tribunal into a bit of a travesty.

Mr. Lawlor: Perfectly right. At some future stage, if the individual has made an initial survey of the situation and the complainant is continuing to say no, then I would think at that stage he would be obliged to put it in writing for further investigation. All right, where in the legislation would you put your finger as giving the registrar the powers of investigation without any writing?

Mr. Drea: How about 17?

Mr. Lawlor: The inspection clause? Yes, you do by the back door what you are not prepared to do by the front. Okay, I won't push it any further.

Mr. Drea: It's good, though, isn't it?

Mr. Lawlor: Yes, all right.

Mr. Chairman: Are there any other comments or questions? The hon. member for Sarnia.

Mr. Bullbrook: I'd like to ask one question that might concern my colleague from Lakeshore. Clauses such as clause 2 under section 18: "The direction under subsection 1 shall indicate the nature of the complaint involved." I have often wondered why you aren't more specific. Why don't you say, "shall indicate the nature and details of the complaint involved"?

I will tell you the reason why. You have specificity in your complaint in writing; I suggest you should have specificity in giving details to the person complained against. Generality of the nature of a complaint is something that the law has abjured for many years.

I am interested in the comments of the member for Lakeshore. I would like to see the nature and details of the complaints involved because, by way of example, if someone complains about a specific instance, I don't think it's appropriate for the registrar to send a carte blanche letter saying: "Someone has complained about your trust account." I think there should be some specific details so that the man can make a response with respect to the details.

Mr. Drea: I would be very glad to bring that to the attention of our legal people. As I said before, the general sections in here are totally consistent with the regulatory sections in other Acts. It would be my feeling —and I can understand your concern from your example and some of the examples that the member for Lakeshore has pointed out— that there should be an accurate description, but frankly I think that the nature of the complaint would seem to take care of the matter. I certainly haven't got the legal expertise of my friend from Sarnia, but I will be very glad to bring your concern in that type of section to their attention.

Mr. Bullbrook: I just want to amplify in one respect, if I may, not for the sake of prolongation of this debate, but it's part of what we have discussed in this House on many occasions. As you go down in the bill, it talks about finding out whether there are any offences committed against the Criminal Code of Canada, and really it's essential or inherent in our system of justice that when you are going to investigate a person, you do it pursuant to a warrant issued on reasonable and probable grounds. That's why the warrant is normally issued, and a person is not put in a position of having to defend a criminal charge on the basis of an administrative right to enter without warrant.

This is what causes concern when you talk about general matters such as the nature of a complaint. This is why I like to see, for example, that people undertaking investigatory rights, duties and responsibilities are themselves not only restricted to the nature of the complaint itself, but also to the specific details of the complaint itself.

Do I bore the parliamentary assistant?

Mr. Drea: No.

Mr. Bullbrook: All right. You've heard—

Mr. Drea: Do you have some problem?

Mr. Bullbrook: Pardon me?

Mr. Drea: You know, I was listening to you very attentively—

Mr. Bullbrook: You've heard this debate take place on other statutes of this kind.

Mr. Drea: Yes, I have.

Mr. Bullbrook: All right. We've never been able to get the government to come full circle and recognize that there should be some protection to the individual that normally would lie in law.

Mr. Drea: Yes. I assure you I'm not bored. I don't understand why that remark was called for.

Mr. Bullbrook: I'm sorry. I thought you looked a little bored.

Mr. Drea: No, as I have said—

Mr. Bullbrook: Well, what about considering an amendment then?

Mr. Drea: I'm not going to consider an amendment, but I will say that I can understand your concern about taking what appears to be a relatively small complaint, casting a wide net on one small aspect of a business and seeing what it will come up with. I can understand your concern about that. I have already said that I will bring the attention of the ministerial legal staff, indeed that of the government, to the point that you have raised, if I understand you correctly, that "nature" is a bit too general and that it should be a more specific word such as "details."

One of the difficulties with consumer legislation in particular, of course—and I'm sure you, as a solicitor, are aware of this—is that people quite often are unable to give

details, although they know they've been had. One of the reasons I think they don't come for redress is that quite often, unless they have almost immediate access to a solicitor, they don't have the exact details.

Again, you're into another difficulty, which is the attitude of business—I've run into this a bit; I can understand it to a degree, but in a lot of ways I can't—that if someone complains about you they have virtually entered into a situation that is more properly controlled by the Libel and Slander Act. Just because you question someone's business methods—indeed, you're wrong as long as it's not malicious; I bear that in mind—I don't think you should necessarily face the threat that someone is going to call you up and say, "Well, by virtue of the fact that you have entered a complaint with the government, I am going to sue you."

In the experience of the hon. member for Downsview (Mr. Singer) and myself within the last two years, people have been threatened with lawsuits because they wrote to us here as members of this Legislature. I frankly don't understand the attitude of business, that if someone questions your methods, it automatically puts it into a libel and slander type of action. There is some concern in the government's mind with respect to this question of details, but I can assure the hon. member for Sarnia that without being terribly involved in the legal process, I share some of the concerns about casting a very wide net on the flimsiest of things to see what we can get.

Mind you, at the same time, I think it should be remembered that this ministry, above others, has to be in a position where it will accept consumer complaints and try to get them redressed on the flimsiest of complaints, if indeed that complaint, after our specialized investigation, turns out to be true. I don't think we want to get into a situation in the travel industry where the customer is going to have to go out at his own expense and hire all kinds of expertise to convince the government and our registrar that indeed there is something there that seems worthwhile investigating.

While I haven't been able to give him the exact type of answer he wanted. I hope I have dealt with it to the limit of my capacity here.

Mr. Bullbrook: Well, I appreciate the response of the parliamentary assistant. I want to say that his comments in connection with the person making the complaint having to detail the complaint has nothing to do with my comments. I am not suggesting that the person making the complaint has to detail it.

I want to say I am somewhat of a disciple of Ramsey Clark, and I don't apologize for that. He has always said this is the type of legislation that makes slothful people out of police officers and those who have an investigatory responsibility. That great man has often said, the less help you give to the police in their investigation the better the police are for it.

I recognize that the police are not involved in this, though they well could be because of some of the breadth of your statute here. The next section, for example, states, "The minister may . . . appoint a person . . ."—There is no identification of the person at all, no matter who he may be. Then you clothe them subsequently with all the powers under the Public Inquiries Act. It is worthy of some comment too.

Mr. Bullbrook moves that the words "and details" be added to subsection 2 of section 18 after the word "nature."

Mr. Chairman: Is there any further discussion to the amendment?

Mr. D. M. Deacon (York Centre): Yes, Mr. Chairman.

Mr. Chairman: The hon. member for York Centre.

Mr. Deacon: Mr. Chairman, I think this is a good illustration of one of the situations that can come up when we are trying to discipline organizations from outside the actual industry itself. It shows the difficulty of trying to help complainants with a registrar going in from the outside in a way that often can be done very quickly—or usually can be done very quickly—from the inside.

My experience anyway is that it is very important to have investigations done and information made available and public so that action can be taken by the complainant. But it should be done in such a way that there is no public exposure or indication of guilt prior to there being evidence of guilt.

It is a matter of making available information. As my colleague says, details should be given whenever some case is actually presented. You can't go in and just say something very general, as is now provided for in this Act. I, therefore, would hope that the member would agree to this change and this amendment that my colleague has suggested.

Mr. Drea: Mr. Chairman, just for a moment so I understand it, are you saying this information is going to a third party? Did I understand you on that?

Mr. Bullbrook: The person complained of.

Mr. Deacon: The person complained of knows the details of the complaint.

Mr. Drea: Oh, I see, yes.

Mr. Chairman: Those in favour of Mr. Bullbrook's amendment will please say "aye."

Those opposed will please say "nay".

In my opinion, the nays have it.

I declare the amendment lost and the section carried.

Section 18 agreed to.

Mr. Bullbrook: I want to say to you, Mr. Chairman, we would never have stood on the thing, but my gosh!

Mr. Deacon: You would have a hard time standing against that.

Mr. Lawlor: I mean after all you are only adding the words "and details," you don't stand on details.

Mr. Chairman: The hon. member for Lakeshore. On what section?

Mr. Lawlor: Section 20.

Mr. Bullbrook: Before you go to 20, may I speak on 19?

Mr. Lawlor: On 19? Sure.

On section 19:

Mr. Bullbrook: Yes, I had mentioned it previously. I am somewhat concerned about the ambiguity of the words "appoint a person"—do you follow me?—and the powers that the person has. I don't think I have to detail to you the powers of a person acting under part 2 of the Public Inquiries Act. They have powers of subpoena, broad powers of investigation, and almost unfettered powers, as a matter of fact. I would like to know who that person might be. I don't know whether you would want to specify the person again, but one would hope for example that it was a person carrying out a normal ministerial duty.

Mr. Chairman: Shall section 19 carry?

Mr. Drea: No, I would like to reply to the member, Mr. Chairman.

First of all, you have seen the minister's power under section 19 before. It is standard throughout our regulatory legislation in this ministry. It would only be used where the industry as a whole or some particular facet of it involving a number of companies or a number of people are to be investigated.

I really don't think that it confers awesome powers upon the investigator. I think it would be much more in line with the member's suggestions, some of his backgrounding, as to why "details" should have been added into subsection 2 of section 18. I would agree with him that the person would be a rather senior person. I would suggest to you, that it would be just as redundant to say: "The minister may, by order, appoint a senior person." I think it's implicit, with the mention of the Public Inquiries Act in there, that it wouldn't exactly be the office boy who was dispatched out to conduct this investigation. As I say, it's standard. I think that it would be a senior person.

Mr. Bullbrook: I want you to know, if I may interrupt just for a moment, that I don't worry about office boys; I worry about the police. Surely, I've made this clear to you.

Mr. Drea: Well, we're not sending out the police.

Mr. Bullbrook: I don't want you to be able to send out the police in the guise of an investigation on behalf of the department. This cannot be a fishing trip for police. We give them too much power.

Mr. Drea: That's a rather impassioned plea. With all due respect, isn't it about time that the consumer got somebody out there on his side? You don't like the police investigating it, you don't like this investigating it, you don't like that investigating it. Well, under section 19, if there's a bunch of them fooling around they are going to meet somebody who is investigating it.

Mr. Bullbrook: May I say to you that you really respond in nature and kind to what I worry about. My interjection previously about the seeming joy you take in these almost unilateral, authoritarian abilities that you vest your ministry with is what concerns me. I don't hold myself out as any Alan Borovoy, any great civil libertarian, but I must say that I express some concern with giving powers to people, especially the police, who, thank God, under our criminal justice system are fettered once in a while and not sufficiently.

Obviously, we've seen in a recent terrible trial in the city of London where they were able to, for example, tap the lawyer's phone and listen to some 140 phone calls between a client and his lawyer and then convict the

man on the basis of that type of wiretap. I realize that's a digression, but anybody concerned in reading the newspapers about matters of that nature would want to be concerned with this type of thing. This is why, if I'm impassioned and you respond in kind, we recognize a polarization. Thank God, I say to myself, for the polarization.

Mr. Drea: I'm going to say something else on polarization.

Mr. Bullbrook: If you want to give them that type of power I'm not going to waste the time of the House and try to amend it again. But I want to tell you if you want to give them that type of power you give it to them, but were I on that side of the House they wouldn't even come close to getting it. Were I an Attorney General I'd see that the protection of the individual in most circumstances is more important than the right of the consumer.

Mr. Drea: Maybe that's the reason why you won't be on this side of the House. But let's not have any impressions given under this—I know you wouldn't, but I just don't want any impressions given that for some peculiar reason under section 19 we're going to enter into some clandestine arrangements with what is commonly known—

Mr. Bullbrook: What is this "clandestine"?

Mr. Drea: Just a moment—you've had your say, and you spilled it out. You were into wiretapping and everything else.

Mr. Bullbrook: But I didn't talk about clandestine arrangements.

Mr. Drea: Just let me set the record clear. I told you it would be a senior ministerial person who would be investigating. Let's make it very clear that we're not going to enter into a clandestine type of contract with a policeman—either a municipal policeman or some other type of policeman.

Mr. Bullbrook: Your Act doesn't say that.

Mr. Drea: It may very well be that we require the services of some very specialized people in the provincial police, but certainly we wouldn't appoint them under section 19.

Mr. Bullbrook: It is the very thing I was talking about.

Mr. Drea: Oh, I see. Well, just let me set the record straight. I don't know why the digression into wiretapping. I just want to make it abundantly clear that, notwithstanding the fact that it is now against the law, this ministry is not about to embark on that nor does it have section 19 in here for any purpose connected with any aspect of wiretapping or that type of evidence.

Mr. Bullbrook: I want to tell you why I spoke on wiretapping, because it is analogous. I want to tell you what has happened, in my opinion, with respect to the laws in the Dominion of Canada, including the Invasion of Privacy Act, including sections of the Criminal Code, including the common law interpretation of an individual's rights, and including evidentiary law that permits illegal taking of evidence but the use of it against an accused. It's this very type of section that I find abhorrent. We give people too many powers.

Mr. Chairman: Shall section 19 carry?

Section 19 agreed to.

Mr. Lawlor: Section 20.

Mr. Chairman: Section 20, the hon. member for Lakeshore.

On section 20:

Mr. Lawlor: I have just something I've been wanting to say for sometime. To the extent that the parliamentary assistant has suzerainty over these matters and can influence policy and does consort with and know the members of the Commercial Registration Appeal Tribunal, etc., this is a plea in mercy. It has to do with section 20, where somebody files an affidavit saying that somebody is being accused or had a previous criminal offence and, therefore, ought not to be in this particular form of business or similarly ought not to be a real estate salesman or ought not to be a used car salesman or ought not to be apparently anything because of a particular affront or a particular mistake or a particular offence that he had in his past.

I think, firstly, of what you said further back in the Act with respect to section 4, subsection 4, touching upon theft as being the primary ingredient. This is the first time in legislation, and I should have commented on it at the time, that I've seen a kind of zeroing into the kind of area which might have some redounding effect upon the very kind of business in which the person is at this time presently involved, and theft would be. Whether he assaults people, whether he is up against certain peculiar sexual practices or whether or not he is prone to murder has very little to do with maintaining funds for people who are travelling overseas or anywhere in the country.

If you zero in on that particular thing, my first point is that this clause in section 20 ought to be kind of narrowed down and confined to what you say within the Criminal Code touching theft as is in 4(4) and the Immigration Act sections. In the alternative, a great deal of suavity and a great deal of mercy should be exercised in this tribunal with respect to the cheap blandishment in our society about people in prisons and coming out of prison and all the spurious talk we hear of rehabilitation. Having come out and sought to establish themselves in a particular mode of life where they are able to hold up their heads and operate gainfully in the community, they ought not be driven like caged animals back into the prison. The whole rehabilitative process is subverted very often by legislation like this and by the operation of tribunals. If the tribunal is harsh, tough and full of the instinct of the law-abiding as an end in itself, then that fellow would be back in prison because he has nowhere else to go. I just thought I'd make a plea this afternoon in this particular head.

Mr. Drea: I think it is not only a very good plea but a very valid one. However, I would point out to you in section 20(1)(b), I think we have confined it, though perhaps not to your expectations, when we say there "committed an offence under the Criminal Code or under the law of any jurisdiction that is relevant to his fitness for registration . . ." I don't think, in terms of the way we register—and, again, this is standard—salesmen of used cars or new cars or as itinerant salesmen and a number of other things, that we have taken the hard and the fast and the hard nosed.

I agree with you, that sometimes we can tend to overprotect. Just because somebody has strong-armed somebody in the back of a bar or done an armed robbery or something like this, whether in the distant past or relatively recently, I think we can try to overprotect society by saying, "Well, let him out and we'll let him back in society, but by denying him certain occupational and employment benefits we will get him into the remotest place possible, and that will protect us.

First of all, I think we would have to very seriously consider people who were convicted of immigration offences, for obvious reasons. A travel agent or a travel salesman has some expertise in it. He also gets some concessions that the ordinary citizen does not. Again, in terms of fraud—and I'm not talking about a bit of embezzlement or something like this—in terms of masterminding a rather considerable fraud or deliberately contravening a number of other sections of the Criminal Code in the field of white-collar crime as an originator, not as a pawn, I think these things have to be looked into very seriously, because there is the handling of money. A great deal of this money is in the form of cash rather than the large type of cheque.

I would certainly think, on the basis of the record of the registrars we have within the business practices division, within the basis of the experience and the compassion of the director himself, that I can assure you your plea hasn't fallen upon deaf ears. However, if there is a time when it appears that either we are being too harsh or that the standards are being enforced perhaps a bit too highly in regard to registration, I certainly think that it is not only our duty to hear you out on it, but it is your duty, if you have some knowledge of that, to bring it forward. I know the director of our business practices division does read Hansard. I would certainly hope he reads this portion of it because I am sure that he will probably correspond with you and say that to the best of his ability this has always been his practice.

Mr. Lawlor: Mr. Chairman, my next section is 26.

Sections 20 to 25 inclusive agreed to.

On section 26:

Mr. Lawlor: The first question I have to ask on 26 is with respect to the bonding arrangements. The parliamentary assistant indicated that for a sum of $9 a week approximately a coverage would be forthcoming which was around—let's call it $500 a year. Does that include the $75 or $80 bonding fee or is that on top?

Mr. Drea: Yes, it does. Since you've raised the question of bonding, perhaps I could clarify it. The travel salesman or the travel employee will not be bonded. After all, the person who employs him not only has to post the $5,000 bond as a condition of registration but is contributing to the overall bonding, the compensation fund. The travel agent will be bonded for that $5,000 and the travel wholesaler will be bonded.

When we last met with the bonding industry, the figure was somewhere between $75 and $80. Even in the light of inflation—and those talks were not too long ago—I wouldn't think they would be much more than $80 a year, give or take, but that was certainly included within it. I don't want to

leave you with the impression that the individual travel salesman would be bonded. He won't.

Mr. Lawlor: Taking the agents or wholesales again, the figure of $9 a week, I think, is the applicable figure.

Mr. Drea: I didn't say that for wholesalers. I said that for agents.

Mr. Lawlor: Again, do the nine bucks include the cost of the bond?

Mr. Drea: Yes. Do you want me to tell you what it includes? Maybe we can straighten it out this way. It would include his licence fee to the province, the cost of obtaining his bond and his contributions to the compensation fund.

Mr. Lawlor: I see the member has got a pretty shrewd notion sitting there right now what precisely that cost per hour to the compensation fund is going to be.

Mr. Drea: Per hour?

Mr. Lawlor: I am kidding the member. Per year, yes.

Mr. Drea: Yes, for both reasons—because we didn't want to put the small operator out of business.

Mr. Lawlor: I'd just like to do it backwards by figuring it out the other way. As far as the bonding is concerned, my experience is that is that bonding is not altogether that easy. To try and get a bond in any number of instances is a fairly demanding test. There are only a very few people in the field.

I take it then, that this department, as an aid to the industry, having consulted within the bonding field, could, if it came to that, for instance, direct a particular salesman or a particular agency to bonding companies, saying, "I am quite certain that other things being equal, they will be prepared to supply you with this bond."

Mr. Drea: We have agreements. There are, I believe, 123 bonding companies operating in this province. We have agreements from them. Provided there is a bit of standardization, which means a standard application form—which we already use with other regulatory authorities, they won't need more than about three or four days' worth of lead time to commence bonding.

There might be some dislocation at the start, because everybody would go to some of the better known companies, but certainly everyone could be accommodated within a very reasonable period of time. The criteria for the issuance of the bond will be the person's business performance and business honesty.

Mr. Lawlor: And not a whole host of assets?

Mr. Drea: And not a whole host of assets; because we met with them and, quite frankly, they didn't want us to bond too high. They said once it goes over $5,000 they want to look at those assets they can seize, because this is a total forfeiture bond. It is not the type that is in construction where as each day goes by and more work is done, the risk is lessened. So we have struck a figure that will ensure that the bonding company does a thorough solvency investigation, but at the same time, it is within the means of the travel agents to buy.

Now, if we went for a $1,000 bond, the financial investigation means very little because the risk isn't as high. Oddly enough, and as a layman, I would've thought $5,000 was relatively low. But for $5,000 on a total forfeiture, they tell us they do a rather stringent check. They can tell us whether a person is solvent, how many times, if any, he has been into bankruptcy or receivership —this type of thing. They can give you a pretty good record on it, and they will issue on the basis of business integrity and business record.

Mr. Lawlor: Mr. Chairman, the next section is (f).

Mr. Chairman: Is section 26 carried?

Mr. Lawlor: No, subsection (f).

Mr. Chairman: Oh, 26 (f).

Mr. Lawlor: It has to do with the trust funds. The parliamentary assistant indicated, when he was in reply, that he hesitantly felt that it would not be an absolute trust. Would he explain that nice term? I am not quite sure what a conditional trust is. Maybe he can tell me why it fails, and in what respect it fails, to be absolute, at least to start.

Mr. Drea: Perhaps I used the wrong word in front of "trust." I was thinking in terms of trust accounts as in the Law Society.

Mr. Lawlor: But that is pretty absolute.

Mr. Drea: Yes it is.

Mr. Lawlor: You can't pay your bills out of that account.

Mr. Drea: You are right, aren't you? That is absolute. Eventually, I would hope that we could come to something perhaps not quite as stringent as that, because that is within a very restricted field. The payouts in the lawyer's trust account or in the real estate trust account are a little bit different from the payouts that have to be made in conjunction with the travel agent.

What we are saying is that at the moment we want the money to be treated as in trust. We are not asking right off the bat that they send us an audited statement of their trust accounts and we are not saying we are going to put auditors in and we are going to be spot checking and all this and that. We want them to start out realizing that this money is now to be treated as in trust and that it shouldn't be used to pay for advertising brochures or to pay for some of the business overhead. It may very well be that because of the peculiar nature of this business they might have to take my deposit today to help pay for your ticket, because of the peculiar billing operations by the airlines, over which none of us has any control —at least not until we get into it, as you mentioned before. So we want the money treated as though it was in trust. We are going to phase in the stringency of the trust.

The reason we can do that, on a practical basis, is, trust funds are only as good as the funds backing them up. It may be very interesting for someone to abscond with trust funds and be very easily charged, but it is small comfort to a person that the trust funds have been absconded with unless he can receive some payment. In this case, we have the compensation funds to repay the deposit. We are interested in treating the deposit in trust for the sake of prosecution, because I think people are fed up with all kinds of people running these capers and nothing ever happening, and secondly, we want to gradually get the industry into adopting conventional business methods.

There is no other industry I know of where trust funds are used to pay the light bill—where deposits are used to pay the light bill, the promotion bill, last year's radio sales bill, to take people out to dinner; and somehow everybody hopes that tomorrow and tomorrow and tomorrow there will be more deposits coming in. At the same time—and I think the member would be somewhat conversant with this—it is very difficult for the small travel agent to go into bank capitalization at this time, because he has precious few assets, other than his own ability to work hard and his own experience, to secure that kind of a loan with. We didn't want to get them into the position where, for the sake of not being able to get a bank loan to cover their deposits, they would lose their own business and become mere employees—albeit perhaps even at a senior level but none the less mere employees—of the larger chains.

Mr. Bullbrook: May I just make a comment? I would like to clarify something on the record; I know it was inadvertently misstated.

The parliamentary assistant said he knows of no industry that uses trust funds for the payment of the light bill and secretarial staff. The banking industry in Canada has for years used this. It's one of fundamental foundations, the use of trust funds from lawyers, and they have robbed the public for many, many years. They continue to do so, notwithstanding the three per cent paid to the law foundation, because they turn around and take the millions of dollars placed in trust accounts with the chartered banks and charge John Q. Public a prime rate of 11 per cent, and he's lucky if he can get it at 13.5 today.

Mr. Drea: In all fairness—

Mr. Bullbrook: I am just telling you that.

Mr. Drea: Well, all right. You have now informed me. I didn't use "trust funds;" I corrected it and I said "deposits." If you are going to put on a performance, at least get my words right.

Mr. Lawlor: Gentlemen, let none of us put on a performance.

Mr. Chairman: The hon. member for Lakeshore.

Mr. Lawlor: I notice throughout the legislation that you haven't thought it wise to write a grandfather clause into the overall legislation at all—

Mr. Drea: We will, in terms of regulations.

Mr. Lawlor: —yes—protecting those already in the industry, in any event.

Mr. Drea: I would like to protect any and all in the industry on the basis of their experience, but there are some people out there who don't deserve to be protected. They are going to have to qualify as to why they should get the normal, conventional benefit of doubt on the basis of experience.

I think that one of the ways it will be done is through the bonding procedure. If

the bonding company can produce evidence that this person is not only totally insolvent but has been involved in the following number of financial debacles over a period of time and they will not bond him, I think at that particular point you lose your status under the grandfather arrangement.

Mr. Lawlor: I have only one final question, and it has to do with what you mentioned a moment ago; this arrangement with the airlines and other carriers, which I don't quite understand. An agent receives money that he is to keep on deposit, and for the protection of the public he would keep it on deposit in trust. Nevertheless, in face of that, as I understand it, he is under obligation with the carriers, say Sabena Airlines, to remit substantial sums of money to them out of that trust account within a very limited period of time, thereby, I suspect, largely stripping his trust account of those moneys. I would take it that your regulations are going to have to be drawn in such a way as to make the trust conditional in the sense that he is no longer responsible for moneys remitted.

Mr. Drea: That's absolutely right. The travel agent is no longer in a trust position once he has purchased a service for you from either a tour operator or an airline.

Mr. Lawlor: Right.

Mr. Drea: In other words, if a $50 deposit is applied to American Airlines and he can show a receipt, he's not in a trust position; it's American Airlines' difficulty. Now, you raised what would have been a very difficult point, if we hadn't gone into this: What do we do with American Airlines, say, if they want to operate out of Toronto in getting you a hotel room? Well, they'd better come down here and register. They know it. Oh, do they know it. They've gone to their friends in Ottawa—I'm not talking about American, but about the airlines from the United States and the other foreign airlines—oh, have they gone to Ottawa. They've gone to IATA in Montreal, saying that neither Quebec nor ourselves can do this to them. They know exactly. They also realize that for the first time in the airline business there are two governments that are interested in what happens to the consumer on those airlines, on those trains and on both interprovincial and international bus operations.

Mr. Chairman: Any more comments on section 26?

Section 26 agreed to.

Mr. Chairman: Is there any other section of the bill that anyone wishes to comment on?

Sections 27 to 29 inclusive agreed to.

Bill 165 reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House reports one bill without amendment and asks for leave to sit again.

Report agreed to.

THIRD READING

The following bill was given third reading upon motion:

Bill 165, An Act to regulate the Business of selling and dealing in Travel Services.

Clerk of the House: The first order, resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

BUDGET DEBATE

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Thank you, Mr. Speaker. For the third time I tell you I don't approve either in general or in particular the budgetary policies of the government. I want you to understand that. I wouldn't want you to labour under any misapprehension about my feelings about the budgetary policies.

Mr. Speaker: I'm getting the message.

Mr. Deans: Good. In fact, I wouldn't want anyone to labour under any misapprehensions about my feelings about the budgetary policies or most other policies of the government. I don't have a great deal of faith in their capacities, and I think they know that.

Today I want to talk about a few other things that have been worrying me. We've covered two or three matters in the last couple of days, and I've got perhaps another eight or nine small matters to raise with you before I get into the meat of the discussion.

I have given a lot of thought to the budget of the government and I've come to the conclusion that we simply have to raise these matters now because there's always the possibility that we won't have another opportunity. It wouldn't be fair to the government if I didn't give them the benefit of my views about some of the policies that they have or have not brought into being in the Province of Ontario.

I want to share with you, Mr. Speaker, and with other people in the House some thoughts I have about the Workmen's Compensation Board. I know it is going to go before a standing committee, but I know not when. Because I don't know when it is going before the standing committee, I think this is probably necessary, given the pressures of the Christmas season and the fact that we may well not be here much longer this year and that it may well be that the standing committee won't have the opportunity to deal with matters related to compensation of the injured workers of the Province of Ontario before Christmas. It might, therefore, be appropriate that I raise a few of the concerns now.

Mr. J. E. Stokes (Thunder Bay): Very appropriate.

Mr. Deans: I want to tell you, Mr. Speaker, that I sat on the standing committee about two years ago that devoted many long hours to a discussion of the operations of the Workmen's Compensation Board in the Province of Ontario. I sat with a number of colleagues and we listened to and took part in discussions about the way the board operated and about its sensitivity or lack of it for the people who must, because of their injury, come within its jurisdiction. We tended at that time to be of the opinion that some changes were necessary to the board if it was going to fill its mandate and adequately meet the needs of the workers of the province.

That resulted in the appointment of a commission which reviewed the board and its operations and which came forth with a report. That report made recommendations, not unlike the recommendations which the standing committee had come to and not unlike the conclusions the standing committee had reached. The government implemented the recommendations, appointing a new chairman in the process.

We then thought that matters which had up until that time been of some concern to us would be taken care of. We thought that the workers would receive a more sensitive treatment; we thought that there would be an administrative change through the board which would result in faster payment; we thought that there would likely be an attitudinal change at the board which would be reflected in a new and more positive approach toward rehabilitation. In fact, we held optimistically the view that the board would, for the first time in a number of years, respond in the way that we felt that the Compensation Board should have responded previously.

Mr. Stokes: Well said.

Mr. Deans: My colleague from Thunder Bay knows it well, as do my other colleagues who are here. All of them know—

Mr. D. M. Deacon (York Centre): All two of them.

Mr. R. F. Ruston (Essex-Kent): All two of them.

Mr. Deans: —that the numbers of complaints that we have had, in the last short period of time have certainly doubled, and probably quadrupled; that more people are going longer periods of time without money; and that it is extremely difficult to track down at the board any of the case histories that one requires.

Mr. Deacon: It is not a difficult chore. They can't find them.

Mr. Deans: I think the member for York Centre makes a good point. The move from Harbour St. up to Bay and Bloor has proved to be, to say the least, a little unsatisfactory.

Mr. Deacon: It is more costly than before.

Mr. Deans: It is a pretty difficult process to trace anything up at Bay and Bloor, I will tell you, Mr. Speaker. When one calls the board one finds that they don't really seem to know where anything is or how to go about finding it.

I want to tell you something, Mr. Speaker, just by way of an example. I had a constituent call me. The constituent had been without money for some considerable period of time. He had been on compensation. His name is Mr. Kovaks. Mr. Kovaks and his wife, living in the riding of Wentworth, were concerned that they were having some minor difficulties paying their bills without money and that the creditors were beginning to exert a little pressure because they didn't seem to have any regular cheques coming in. They were asking whether maybe the couple could find a way to meet their obligations financially.

They had been on compensation for a long period and Mr. Kovaks had been at the board at a hearing—no, not a hearing; a review, a medical review, I think you would call it—and he left the board feeling that things were going to be fine. He had been told that when he got back to Hamilton they would notify him of any change in his status and that if there was to be any adjustment in his payment he would be told.

Six weeks went by. Mr. Kovaks got no money. Mr. Kovaks had been receiving his cheques regularly up until that point but for six straight weeks he got no money.

Mr. F. A. Burr (Sandwich-Riverside): His file was out of the office; they couldn't pay him.

Mr. Deans: His file was out of the office, as my colleague from Sandwich-Riverside says, and they couldn't pay him because his file wasn't available. They didn't seem to understand that Mr. Kovaks still had rent to pay; that Mr. Kovaks still had food to buy; that Mr. Kovaks still had bills that were coming in because he had entered into agreements with people in good faith. Although he repeatedly called the board and then he repeatedly called me, and we, from my office, repeatedly called the board, it seemed virtually impossible to get through the maze of red tape and inconsequential nonsense that seems to pervade the entire operation.

I became frustrated. Mr. Kovaks was supposed to go to welfare because he couldn't get his compensation payment. Then we found out what had happened. Mr. Kovaks' file was in the pension department. They had decided that they were going to take him off his regular payment and put him on a pension. But they hadn't told him.

You see, it takes a long time, apparently, to move from regular compensation payments into an arrangement whereby one gets the pension.

Mr. Burr: It's on a different floor, probably.

Mr. Deans: During that period of time, Mr. Kovaks and every other Mr. Kovaks across the Province of Ontario is expected to make ends meet, and to meet his obligations without any income of any kind.

He wasn't fit to return to work, as certified by his doctor's statement. Yet the board, without any notification, without any prior discussion, without any effort being made by them to ensure that Mr. Kovak understood the delay and the reason for it, simply stopped his payment. Some six weeks later we discover he's on pension.

His pension, of course, is drastically reduced from his normal payment and Mr. Kovaks is now in a position that he has to receive additional social benefit from another agency, which is a practice which I think is wrong in the Province of Ontario. Mr. Kovaks has to receive assistance from welfare just simply to enable him to meet his financial obligations.

I would like to be able to tell the House that that's an isolated case. I would like to be able to say that having once resolved that, we had resolved the problems of the Workmen's Compensation Board. But I'm going to tell the House, and I think any member of this House could tell the members likewise, that Mr. Kovaks is an example of any number of hundreds of people who are finding it extremely difficult either to get answers as to why they're not getting money, or to get money from the board.

I want to suggest to the House that the reasons that are given by the board are totally unacceptable. It's not good enough to say to somebody: "I'm sorry that we didn't send out your cheque; your file is lost." It's not good enough to say: "I'm sorry we didn't send out your cheque but we can't get hold of your doctor's report." It's not good enough to say: "We can't send out your cheque because we're reviewing your claim."

The purpose of the Compensation Board is to provide compensation payments for people when they are unable to work due to an industrial accident, and those payments should be continued all of the time that the person is disabled. If there is any need to change either the amount of the payment, the time that the payment will be made, or the method of payment—for example, from full compensation to partial, or from partial to pension or whatever—then there is an obligation on the board to continue to make the payment that the recipient expects until the recipient has been notified and given an adequate period of time to make adjustment. I don't think anyone is going to quarrel with that.

What I'm saying is, that when the file is lost in that labyrinth of offices at Bay and Bloor—

Mr. Deacon: Yonge and Bloor.

Mr. Deans: Yonge and Bloor, pardon me—surely to heaven the responsibility is to continue payment until the file is found. If the

board finds upon looking at a claim that the claimant's doctor hasn't filed a report, that is not sufficient reason to cut the claimant off.

There has to be an understanding that we are dealing with human beings—human beings who have to eat and pay their bills. If the doctor, because of any number of reasons—vacation, illness or whatever—is unable to send out the report on the injury in time to meet the deadline of the board, then let the board take that matter up with the doctor. But for heaven's sake don't deprive the person in receipt of benefit of the very money he needs in order to continue to live.

The same is true in the case of the worker injured and making an initial claim. There is a horrendous delay from the time that the worker makes his initial claim and informs his employer that he is injured and goes home, to the time that he gets his first cheque. The reason is, of course, that the injured worker has to go to the doctor; perhaps to the hospital. From that point out, the doctor has to get the forms; the forms have to be filled in. The employer has to fill out the forms. The worker has to fill out the forms. They have to get into the board. Somehow they are going to get lost, found again—and then they've got to be processed.

Now, what happens in the case of the worker who is in the hospital? He can't go chasing around after his doctor asking him to sign the forms and send them in. He can't go down to his employer and ask his employer to please send the forms in right away because he hasn't got any money.

Yet the board sits and waits—and it waits. And if the employer doesn't send in the report properly, it waits some more. If the doctor doesn't get his report in on time, it waits again. Who suffers? Not the employer; he doesn't suffer. Not the board; nobody up there ever suffers. Who suffers? The poor guy who has been injured doing his job. That is who suffers.

Why is it that when a claim is registered there isn't an automatic process which follows the claim through until the first cheque is sent out? Why is it that there isn't a process whereby, if there is a delay of even two or three days in receiving the report of the physician or the report of the employer, or for that matter the report of the worker, an automatic reminder goes out to that person? It should say to the employer, physician or worker: "You haven't yet sent in your claim form."

This delay affects but one of the three parties involved. And this reminder would help reduce the kind of economic hardship that these undue delays have been causing in the past.

It is not uncommon these days for people to wait 12 and 14 weeks to get their cheque. It's not uncommon for the board to have to send someone out to investigate a claim, and during this period of investigation – which can take anything up to six or eight weeks—the worker must sit at home, or lie in bed, perhaps, awaiting the outcome.

Now, we all know that there are very few people in the Province of Ontario—including many of us here—who could go for a couple of months without income. How can we possibly expect that a person earning a nominal sum in a factory, in a commercial enterprise or in some other place of work would be able to get by for six or eight or 10 weeks—

Mr. Stokes: Completely unrealistic.

Mr. Deans: —without receiving any compensation from the Workmen's Compensation Board?

If the physician doesn't send in his report, then he has to have his ear tugged—I thought of something else to do to him but that will do instead. If the employer doesn't send in his report, then all that can be said is, "Mr. Employer, we are going to pay the man. Send your report in quickly if you don't think it's justified." If the worker doesn't send in his report, then obviously he has to accept some responsibility for himself; but nevertheless he should be reminded of his obligation to himself and to the board.

I don't want to start another great harangue about the Workmen's Compensation Board. We have gone through it a number of times. I know, since the board appears before the standing committee, that there will be any number of cases brought to its attention, including some by me. In that standing committee I want to go through with the board a few of the delays that have taken place. I want to talk about the rehabilitation aspect of the board's operation to find out what one does with a worker who was accustomed to doing manual labour and, because of an injury, is no longer able to pursue his previous occupation. I want to talk about the upgrading required for educational purposes in order that employers and employees can get together and find other suitable employment. I'm going to do all those things when we get to the committee.

But today I want to stress, and to impress upon all of the government members assembled here today and all of the other

members—all 10 of us or whatever it is—that there is a desperate need for a review of the procedures of review at the board. It has to be done now—this week or tomorrow morning—because we are coming into the Christmas period. That's why I'm so pleased to talk about it immediately prior to Christmas.

I'm going to tell you that because of the comings and goings of physicians around Christmas, and because of the financial and other problems that the period in itself brings on people, there will be any number of times that every member of this House will be called between now and Jan. 1 by people who didn't receive their cheque when they expected to get it.

I urge the Workmen's Compensation Board to set up a system so that when there is a delay, no matter who caused it, they are able to identify it and plug into it so they can ensure that no person who is legitimately in receipt of compensation is denied the payment that he should be getting. If we can do that, then we will have gone a long way to resolving the board's problems. No matter how well it operates administratively or if the people at the Workmen's Compensation Board are so happy that they are dancing and singing up and down the halls as a result of the administrative changes, if it doesn't result in a renewed atmosphere in terms of guaranteeing injured people what is rightfully theirs, then it has failed.

If there isn't a new system that guarantees that people get what they rightfully should be getting, then the Workmen's Compensation Board, for all of the changes that we have made, hasn't done what it was set up to do and it is no better than the board was previously. Perhaps it is a little less authoritarian or a little more humane on the outside, but if it doesn't meet its primary purpose, then there is no point in us even concerning ourselves about the cosmetic changes that have taken place.

In regard to the Workmen's Compensation Board there is one other point I want to make. We have seen a number of people in and around this building of late, many of them injured some considerable time ago and suffering from all manner of disabilities. They have been forced to come down here to the Parliament Buildings, as have many other people over the past four years, to bring to—

Mr. Stokes: Some in wheelchairs.

Mr. Deans: My colleague says some come in wheelchairs, but some come with crutches; some have only one hand; some have an arm off—

Mr. Stokes: Braces.

Mr. Deans: —and some are walking with with braces. They have been forced to this building to ask for justice; to ask that the people of Ontario recognize that their opportunities for gainful employment have been severely restricted, to say the least, and that the opportunities for them to go out into the workplace and to find some kind of job to do that will remunerate them have been extremely cut down.

I have got to think it is morally wrong for them to be forced now to come to the legislative building to picket outside, although they were allowed inside latterly, in an effort to try to bring to the attention of the members of the Legislature, and particularly to the attention of the Premier (Mr. Davis) and the Minister of Labour (Mr. MacBeth), the injustices of the system, the inadequacies of the payment, the hard and cruel-hearted way in which they are dealt with as human beings in this society. People shouldn't have to do those kinds of things.

I know, Mr. Speaker, you will recall with me that of late we have had a lot of people gathering at the Legislature trying to bring to the legislators' attention the problems they've had. We've had the teachers and we've had the elderly. I can remember the elderly coming in the month of February about a year ago and standing outside in the freezing cold. They couldn't get in and were standing outside in the freezing cold to talk about the need for some kind of justice. Having worked all their lives in the Province of Ontario and having contributed significantly to its economic programmes and to the viability of the province, they were forced to come and stand outside just to bring to the attention of members of the Legislature the impoverished way in which they were forced to live in this affluent society. I have got to think that it's a new era in politics, and one that I don't particularly like, when we force people to come down to this legislative building in the dead of winter to make representation.

Mr. Stokes: At any time.

Mr. Deans: At any time, as my colleague says, but it always hits you harder when you look out when the snow is on the ground and they are shivering, Mr. Speaker. It's a sad commentary on the way in which we do business when people are forced to come here by busload or by whatever means of

conveyance they have simply to bring to the attention of this Legislature the way in which they are being mistreated by the society they helped create and by the society to which they contributed so significantly.

I have got to say to you, Mr. Speaker, that the workers who were downstairs—and some might argue that they weren't all as legitimate as one might have expected they should be, though the fact of the matter is that by far the majority were—represented a far, far greater group of people outside than maybe most of us realize. It's time for us to put a stop to their having to come here; it's time for us to respond to the needs that we recognize as being legitimate; it's time for us to make the kinds of changes that have to be made and that we all understand have to be made; and it's time for us to ensure that in affluent Ontario people aren't required to beg for what should be rightfully their share of a very affluent economy in a growing and prosperous society.

I want to change from that topic, although there is much more that could be said about it. I can think of a number of other things about the Compensation Board that I have often felt should be said, but I think I will wait for another day and do it before the standing committee.

I want then to change to another topic that is related to some extent. Not so many weeks ago we had some changes in the drug programme. As I recall, it was called a drug index. For those people, the elderly and those who receive social assistance, the variety of drugs available to them was drastically reduced by a committee. It was taken out of the hands of the private physician as to what he should be prescribing for his patient.

I am not going to argue with whoever made the decision and the validity of the decision in a hypothetical sense. I want to talk about the practical application, particularly as it applies to many elderly people in the Province of Ontario. To begin with, as I recall the way in which it was done, they did away with something called "multiple drugs." There is another word in there some place.

Mr. H. Worton (Wellington South): Combination.

Mr. Deans: Combination drugs, thanks. What that meant was that a doctor who wanted to prescribe any of the ingredients contained in a combination drug had to do so separately, provided it was on the drug list. For many elderly who might have been receiving four distinctly different but related drugs in one package, that meant they then had to receive four separate drugs which might have to be taken in an entirely different way from the way in which they had been accustomed to taking them.

It required them to be sufficiently alert all of the time to remember to take all three or all four of the drugs. It required them to change a lifestyle and a pattern of life. It caused a considerable degree of upset—emotional and to some extent physical, because they are very related when you get to be the age of 75 or older or perhaps even not that age; it is maybe true of all of us that it's hard to make adjustment.

I wondered about it at the time. It seemed awfully cruel, awfully hard-hearted. The saving was minimal, if there was any at all. If there was any saving, the saving was minimal. The doctors weren't prepared for the change. The patients weren't able to adjust. The druggists weren't able to make any substitutions.

Therefore, we had patients who had previously been receiving drugs on a regular basis, for what their doctors perceived to be particular physical or other illnesses which were legitimate and necessary for their day-to-day operations, who were then deprived of carrying on in the way in which they had been accustomed to dealing.

If there was a saving, I haven't seen it. But I can assure the members it caused a lot of hardship, a lot of grief, a lot of upset. People were disturbed by the fact that this change had occurred and they didn't understand it. The doctors were not sufficiently well advised as to how to circumvent the regulations set out by this government. It took a number of us some considerable time to find out that, of course, it was possible to have the drug which was to be prescribed put on the list or made available, provided they went about in the proper fashion, contacting the appropriate person in the Ministry of Health and making sure they had authority to prescribe what was needed.

Well, it doesn't make sense to me. I have come to the conclusion that the people best suited to prescribe drugs are the physicians and the druggists. It would serve us well as politicians if we stayed out of it. There isn't any need for us to meddle in the method used in prescribing or in the drugs that are being prescribed.

It may be that we could go to generic names. It may be that we could make drugs available at a reduced cost if we introduced

a different kind of programme; I think that's possible. But it certainly isn't a responsibility of legislature to start telling doctors what drugs they should be prescribing for what particular illnesses or for whatever infirmities there happen to be.

That was the responsibility taken by the government. That responsibility caused a great deal of upset and that responsibility for the upset rests solely with the government.

I suggest that you don't deal with people that way either, that you don't suddenly change their entire life without having a reasonable explanation or a reason for doing it. If it was going to save the taxpayers hundreds of thousands, or whatever numbers of dollars, then that might have been justification—we would have had to weigh it up. But someone surely owed us an explanation as to why it was occurring and that wasn't forthcoming.

If it was going to be beneficial to the patient because the drugs that were being made available were better in quality or more available in quantity than the drugs that had been previously available, then we should have been told.

If the change was going to do away with patients taking drugs which they didn't need and which were harmful to them, then we should have been told; as should they.

But those things were never claimed. This was done for some administrative reason—a reason which, to this day, I don't understand. I suggest to you, Mr. Speaker, that it's further evidence of a callous attitude and of a lack of understanding of the needs and the aspirations and the concerns of a number of people in society, who frankly maybe aren't in a position to speak for themselves.

Many of the people who were in that position, by the way, couldn't mass out on the front lawn and couldn't come down in the winter. In fact, with the kind of pensions they get, they couldn't afford the bus fare anyway.

So I want to suggest that if the government ever decides to do this sort of thing in the future, it's going to require a lot more thought and a lot more preparation. I think the preparation could well start here in the Legislature with a little information about the reasons they feel it necessary to take these kinds of steps that cause people a considerable amount of upset and hardship.

Another matter has been on my mind that I want to talk to you about, Mr. Speaker—you'll notice I'm covering a few things today. I want to cover another half a dozen things before 6 o'clock, and this evening I hope to deal with the whole matter of the cost of living. I want to raise a purely parochial matter, as I do from time to time—infrequently mind you Mr. Speaker, but from time to time.

Mr. Stokes: Feel free.

Mr. Deans: I want to suggest to you, Mr. Speaker, that there's an area in the city of Hamilton that has been getting shafted by the government.

An hon. member: Shafted?

Mr. Deans: Shafted, yes. I don't know if you're familiar with Hamilton, Mr. Speaker, I seem to recall you taught there.

Mr. Stokes: Taught what?

Mr. Deans: What did you teach by the way Mr. Speaker? I don't remember. What did you teach?

Mr. Stokes: Investments? How to make a million?

Mr. Speaker: You've heard of Saltfleet School?

Mr. Deans: You taught in Saltfleet. Oh good. I'm going to talk about Saltfleet shortly. But I want to talk about the beach strip in Hamilton for a moment or two, because there are some problems there.

Mr. Stokes: That sounds indecent, the beach strip.

Mr. Deans: No, it's a different kind of strip.

Mr. Stokes: Oh I see.

Mr. Deans: That other is over on Jarvis St. or something.

I want at the outset to make it clear that I don't want to alarm anybody by it. The fact of the matter is that for a great many people, living on the beach strip has provided them with excellent accommodation within their means. Unfortunately though, as a result of annexations over the years and as a result of the nature of the soil, the high water levels on either side of the strip and the need for transportation corridors, the beach strip hasn't been able to be serviced. So for a lot of people the prospect of living there throughout the remainder of their lives and of acquiring a reasonable price for their property, if and when they decide to move, has become somewhat of an unreality.

As a result of some discussions that have taken place about the possibility of the twinning of the Skyway bridge, followed by discussions of the possibility of the tunnelling under of the Burlington Canal, followed by discussions of the possibility of the acquiring of the land for park purposes with federal, provincial and municipal participation, there's been a great deal of uncertainty around the beach about its future. A lot of people have been worrying.

I'm going to tell you, Mr. Speaker, that it has resulted in some severe economic problems for people who owned substantial homes on the beach and who still own substantial homes on the beach. Prior to all of this discussion taking place, and as a result of last year's high water and the flooding that occurred, and as a result of stories emanating from a variety of different places about problems with sewage and also problems with dust from the industrial area, a great many people have found that it has become increasingly difficult to realize the actual value of their property upon any attempt to sell it. They have offered it for sale only to find that there are no longer many purchasers eager to move there, with all of the uncertainty.

I think there is one thing that you, Mr. Speaker, and I could share—just between the two of us, as nobody else is interested except my colleague here, and my other colleagues—and it is that I think it is fair to say the beach strip, as a residential area, won't last much longer; that it is going to be developed as a park; that it is going to be developed as a major thoroughfare connecting the Queen Elizabeth Way south of the strip with the Queen Elizabeth Way at Burlington.

Therefore a lot of people have fears when they look at purchase of properties there. They don't see any real investment potential in it. They are worried about how they would get a return from their investment. One of the things that people are finding is that even when they can get a purchaser, even when they can find someone interested in purchasing, it is extremely difficult to find anyone who will put up the money for the mortgage. Mortgaging the properties has become extremely tough. It seems it is a bit unattractive for the mortgagors.

It is going to get worse. I think the members would agree with me that as things firm up it will get worse rather than better, and I think that what these people require is a clear statement of policy.

I think they need a statement first of all from the provincial government, saying exactly what it is the government intends to do by way of a highway, whether it be bridge or tunnel. I think they then need, in addition to that, a statement from the provincial government saying what it is it intends to do by way of the acquisition of property and which property it will acquire. In addition, I think they need, by way of a statement from the provincial government, some kind of timetable in terms of the actual acquisition itself. Then they need, by way of a statement from the federal government and the provincial government, a clear indication of the financial commitment that the government has toward the plan which has been developed for acquiring the remaining property for park purposes.

They need those in order that people can look ahead and say to themselves or to their children that over the course of the next period of time they will be moving, or they won't be moving because their property is not one of those that is going to be needed.

Then I think we have an obligation to make the money available now for those who want to sell—because they can't sell on their own; there is no private market, or very little private market. Let me give the House an example of what I am talking about.

Mr. Stokes: It sounds like Armstrong.

Mr. Deans: I know a man who lives on the beach. He has a small house that would yield him a nominal return. He entered the lottery in the city of Hamilton for the HOME houses. If his house was anywhere else but on the beach he would simply have put it up for sale and he would have sold it. He would then have moved, with whatever little he got, into the HOME house, and likely would have lived there with his family for some considerable period of time.

Unfortunately, his house is on the beach. He can't find a private purchaser, because of the uncertainty created by statements of government at all levels and because of the lack of servicing. So there he sits. He can move to a nice new home that will serve him for the rest of his life, and perhaps his family beyond, but he can't sell the house he has got.

We created the situation that makes that house undesirable for another purchaser. I think we have got an obligation there. I think that since we made the situation the way it is, we have an obligation to ensure that if his property falls within any of the areas to be developed in the future, we will make him an offer, a fair offer, an offer at market value, in order that he can then move. He is going to have to move anyway. If he can't

move this year he will have to move next year or the year after.

It is not as if we are buying from him unnecessarily; we are buying because we have created a situation which makes it impossible for him to sell on the private market. The only people who will purchase from him at this point is a government at some level. I think that it's time to stop fooling around with those people's lives. I think it's time to be fair and to say to them once and for all exactly what the programme of the government is going to be and to offer to them the opportunity to sell to the government the land which we will ultimately have to acquire in any event. That should be available to them now so that they can plan their lives and remove the uncertainty.

I want to suggest that there's so much that can be said about it. There's no doubt there are people who don't want to move, and that's their prerogative. But for those who do, given the nature of the development which will ultimately take place; given that it's going to be government-sponsored in any event; and given that we're going to have to lay out the money, then it makes some sense that for those who are interested in moving, whether their land is designated in zone 1 or zone 2 or zone 3 and for those who would like to move because of the opportunity they have now for them to move to someplace else where they can settle for the remainder of their lives, God willing, that they should be given that chance.

I'm asking the government to do that today because I think it's important. I think that's the kind of move which would be made by a government which shows an understanding of the problems which people face. That's what I would expect of government and that's what I hope to see occurring. I don't know why I expect the government to do these things, because anything else they have ever done hasn't shown much understanding of the problems of the people that they supposedly govern.

I've got to think, for example, in the case which follows closely on the heels of that one, that the whole development in the Saltfleet area, which I don't intend to talk about in financial terms but which we spoke about the other night, showed there was a certain lack of sensitivity on the part of Ontario Housing Corp., over the period of time when they were involved, towards the legitimate concerns and needs of the many people who lived in the area and who hoped to be integrated into the new community. It showed a tremendous lack of concern and a lack of information.

It would have been so simple when one is talking about a $20,000 or $30,000-unit development, with some 80,000 people perhaps over 10 years, to have put a community development officer into the area, who would have been there to explain to the people in their living rooms or wherever what it was they were doing, how they could integrate into it, when they could expect water and sewers and what the cost might be. In other words, it would have been simple to make sure that the people who already lived in the area, who were affected directly by what was going on, who hadn't asked for it, who were perfectly happy to live there but who had this inflicted on them, were kept apprised what it was that the government intended and could be knowledgeable about the things that are going to affect their lives.

As I say, I don't know why I expect anything different on the beach strip. Any time I've ever been involved with the government I've found that, in fact, the last consideration was the human element, concern for the welfare of the people involved and making a genuine effort to provide adequate amounts of information. Maybe we could do that on the beach strip. Maybe we could put a community officer in there now, a community development officer, give him a mandate, tell him what it is the government intends and how it will be involved financially and allow him to wander at large among that community, which is a fairly closely knit community, and keep them up to date in all new undertakings.

Anyhow, we'll find out. I make it as a suggestion. I think that perhaps the government could do worse than to pay some attention to it. As I say, I don't want to alarm anyone. I don't want to raise anything unnecessarily. But I do think that in that area the handwriting is on the wall. Its future is very much a public future in the public domain for part-time and other uses. I think the people there deserve to be given the opportunity to take part in it and deserve the opportunity to be able to settle themselves down wherever they want to settle for the future.

There is another matter that has been brought to my attention, one that I hope will be resolved by the new Ontario Energy Corp., although I read the bill and listened to the debate and I'm not sure it will. There is a tremendous disparity in rates across the province for hydro power. As a result, two neighbours, one on either side of the street, pay

different rates just because they fall on opposite sides of the boundary line.

Mr. Stokes: Different utilities.

Mr. Deans: Different utilities. I had this matter brought to my attention in a letter I'll read into the record because I think it is a grossly unfair situation. Some time ago I received a letter from a gentleman who lives in Stoney Creek, and he sent me a copy of a letter he sent to the Minister of Energy (Mr. McKeough). He wrote:

Dear Sir:

> On Sept. 9, I received my statement from Hydro reading, "Net amount, $29.42; gross amount, $30.89." Bad enough that this in itself is misleading, in that it suggests that the gross amount of $30.89 is the amount of the electricity burned, but if the bill is paid by Sept. 23, a period of two weeks, that the payment is the net $29.42.
>
> In effect, the net amount of $29.42 is the amount of electricity actually burned and the gross, $30.89, is the penalty for not paying the bill prior to the 23rd.
>
> To compound the matter Hydro has the audacity to have printed on the reverse side the following notation: "Failure to receive this bill does not entitle the customer to receive discount after the due date," knowing full well that this is a penalty. To make matters even worse, the interest charged ($30.89 to net $29.42) is five per cent.

Mr. Stokes: Misrepresentation, isn't it?

Mr. Deans: He wrote: "Gentlemen, five per cent for two weeks is, in my mind, high-class—"

I'm going to change the word, if I may interject; the word used is offensive to the Provincial Secretary for Resources Development (Mr. Grossman).

Interjection by an hon. member.

Mr. Deans: No, it has a rather unusual connotation, so I'll say high-class robbery.

> If a private organization charged such exorbitant rates as these, I'm certain the practice would have been stopped, but a monopoly like the Hydro can do as it pleases. I'm not alone when I say I'm a little more than a little upset with government overlooking or not knowing of this misrepresentation. The phrase used during the Watergate era, that there are two laws, one for the rich and one for the poor, seems to be factual. I'd be most interested in hearing your comments.

It is signed, and a copy was sent to me. The gentleman asked me if I would look into it. Well, I did. I wrote a letter to the minister in charge and asked that he answer the letter of the gentleman involved. I must confess that to this date—and that was dated Nov. 5—I don't know what was said.

Before I move from that subject, I want to say that he's right, that the amount used by any customer of Hydro is actually the net amount.

Mr. Stokes: The so-called discount.

Mr. Deans: The so-called discount price. The other amount, set out on every bill, is a penalty for not paying it when they think it should be paid; and it should read that way. One would get the impression, from the way in which it is put out in the bill, that Hydro were doing you a favour; that you used $30 worth and they are giving it to you for $29 if you pay in two weeks.

Mr. J. R. Breithaupt (Kitchener): Right.

Mr. Deans: In fact, what happens is you use $29; and if you don't pay in two weeks they are charging you $30.

Mr. F. Young (Yorkview): A penalty.

Mr. Deans: I think that should be widely known. I also think it should be stopped. If Hydro want to claim for late payment, then they should put on the bill that there is a penalty for late payment of the amount owing. But the penalty shouldn't take effect until one month goes by. That's the customary way to do business. In business transactions a person usually is given a month or 30 days to pay his bill.

Mr. Stokes: That's a case for the Ministry of Consumer and Commercial Relations.

Mr. Deans: Where does Hydro get off deciding that it will impose a five per cent penalty in two weeks on a bill which hasn't yet been paid? Where does it get off using this kind of misleading information with regard to the way in which its bills are computed?

I want to suggest that that gentleman has a legitimate complaint. If your bill comes in on the 10th of the month and you customarily pay all of your bills at the end of the month, and you were to send Hydro the net amount for the actual used hydro, then that should be sufficient for their purposes, Mr. Speaker. I want to suggest that the Minister of Energy should take a very serious look at that because it is wrong. We wouldn't permit it in

any private corporation, nor should we, and we shouldn't permit it in Ontario Hydro.

Let me turn to another matter, because this is the one I intended to raise with you. It's a series of letters. Let me just find the first one. I don't have a copy of it with me, but I received a letter in October, 1973, in which a gentleman in Saltfleet was complaining about a double standard because of a duplication of service in that Ontario Hydro provided service for one part that was provided elsewhere by someone else.

What he was saying in his letter was that Saltfleet, which then existed, had billings based on the average consumption of 25 kilowatt hours for two months. For the first 500 kw-hr, at 3.85 cents, it would cost $19.25; the next 1,000, at 1.6 cents, would be $16; for the next 1,000, at 1.32 cents, it would be $13.32. The total cost for that amount of hydro consumed—that would be 2,500 kw-hr in a two-month period—would be $48.57.

If you lived on the other side of the street in Stoney Creek, the first 100 kw-hr were at 4.5 cents, for $4.50; the next 400 at 2.2 cents, for $8.80; the next 1,000 at one cent, for $10; and the next 1,000 at 1.2 cents, for $12, bringing a total for 2,500 kw-hr billed in two months of $35.30, the difference being $13.27 for the same amount of hydro consumed in the same house across the street. The Saltfleet billing was at that time—and to the best of my knowledge still is—38 per cent higher than the billing in Hamilton.

Mr. Carey wrote to me and he wrote to the Premier. He wrote to the Premier on Sept. 24. The Premier answered:

Dear Mr. Carey:

This will acknowledge your most recent letter of Sept. 24 regarding the hydro rates which apply in Saltfleet township.

This situation is covered in Bill 155, An Act to establish the Regional Municipality of Hamilton-Wentworth. The Act states, and I quote:

"Where, on Dec. 31, 1973, the Hydro-Electric Power Commission of Ontario or a public utilities commission or a hydro-electric commission is supplying electrical power and energy in any area within the regional area, such commission shall continue, until a date to be determined by the minister, to distribute and sell power within such area and such commission shall be deemed to be a local board of the area municipality in which it has jurisdiction."

Thus the question which you have put in your letter directly reflects a major concern of the government. At the present time a committee is actively engaged in setting out the ground rules for the rationalization of electrical distribution throughout the province. When it has completed its deliberations, the recommendations will be used in separate studies for each of the regional municipal governments presently constituted.

There is a need, for example, to decide in discussion with local officials whether electrical distribution should be handled at the upper tier or the lower tier of each individual regional government. The assets of the utility, or utilities, which are bowing out of the local scene must then be transferred to whichever body is assigned the responsibility for electrical distribution and the necessary money raised to pay for these facilities. It will then be necessary to set retail rates at a level to recover all costs.

Given the complex nature of these problems and the high degree of local participation required in coming to an acceptable decision, it will be some time before the minister can determine a date for any change in supply authority. However, I have taken the liberty of forwarding a copy of your letter to the Hon. Darcy McKeough, the Minister of Energy, and to Mr. Bill Hogg, who is the chairman of the committee, for their information and consideration. I am sorry I cannot offer more specific information. I can assure you it will be given careful examination.

William G. Davis.

That was Oct. 9, 1973. I wrote to Mr. Carey on Nov. 26, 1973, pointing out that I had received the same kinds of complaints from a number of other people in the general area, and I said that I had been raising them and would continue to do so.

I received a letter from Mr. Carey on Nov. 4, 1974, and he writes to me, referring to his letter of October, 1973, and points out this: "This has resulted in out-of-pocket cost to me of approximately $80 this year. I feel I have done my part." He's talking about voting for me, which I appreciate.

Mr. W. Ferrier (Cochrane South): Did he say $80?

Mr. Deans: Yes, $80 for the year more than he would have had to pay if he lived on the other side of the street.

He says that he wants to see this changed. That was on Nov. 4, 1974. The letter from the Premier was on Oct. 9, 1973, and Mr.

Carey and all other people in the area are being forced to carry on paying the exorbitant difference between what it costs to provide power in the town of Stoney Creek and what it costs to provide the same amount of power in the township of Saltfleet.

I want to suggest that if regional government is to be acceptable to people, then they have to be able to see some benefit from it. This then harks back to the question that I have been asking over and over and over again—and this is an integral part of the problem—what is it costing people and what benefits are they deriving from the regionalization?

If there are benefits, or if there are benefits to be had, surely this is one of the areas in which the benefit could flow much more quickly and be much more visible than in some of the other areas. Surely if we are in a position to provide transitional grants for all other things, then in that interim period when people are expected to pay their taxes at the same level, when people are expected to carry their share of the load equally with all other people in the community, maybe we could make some arrangement whereby for the same services provided the same cost would be charged.

I think that what's happened here is happening to every single resident in that area. In that year, from the time that Mr. Carey has brought it to the attention of the Premier, who brought it to the attention of the Minister of Energy, during which period I have brought it to their attention again, some positive action could have been forthcoming to relieve those people of this 38 per cent difference between the cost of obtaining the same number of units of hydro power in one part of the regional municipality over and against the cost of obtaining that same amount of hydro power in another area.

Mr. Speaker, I note that it's almost 6 o'clock. I have got to point 4 and I have only another six points to raise. I would move the adjournment of the debate.

Mr. Speaker: I presume you will be carrying on this evening?

Mr. Deans: I will be carrying on this evening.

Mr. Speaker: I will just recognize the clock.

It being 6 o'clock, p.m., the House took recess.

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No. 149



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Tuesday, December 10, 1974

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

BUDGET DEBATE

Mr. Speaker: The hon. member for Wentworth.

Mr. I. Deans (Wentworth): Thank you very much. I have got two or three additional remarks I want to make, this being volume 4 of my contribution to the budget debate. I want to say that it really is a pleasure to be able to pull in such a crowd. I didn't realize that I had such a capacity.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The member should be happy for the support he has at this particular time.

Mr. Deans: Well, of course, I told my own people they could have the evening off since I had all kinds of time and things to say.

Mr. L. C. Henderson (Lambton): One of them came out.

Mr. B. Gilbertson (Algoma): The member is not alone.

Hon. Mr. Winkler: One, two, button your shoe.

Mr. Deans: I couldn't really begin without a friendly face. I didn't want to start without one.

Hon. Mr. Winkler: The member is never without one.

Mr. Deans: Yes, but I have to have a mirror to find it.

Mr. Speaker: Will the hon. member for Wentworth proceed now?

Mr. Deans: You've got to give me a chance to warm up and to allow my dinner to settle, Mr. Speaker.

Hon. Mr. Winkler: The member is being unkind to himself.

Mr. Deans: Okay, here we go. I have covered a number of rather small points, all of them important but not taking much time, yet just enough to satisfy some concerns that I have about a number of different areas.

Now I want to move slowly but deliberately into the main topics that I want to talk about. I want to talk about housing and the cost of living; but before I begin with the main thrust of my remarks about housing, I want to say a word or two to you, Mr. Speaker, about the recently conducted lottery. I began to speak about this the other day and I didn't really quite finish because, as you know, time simply didn't allow it. The lottery has caused considerable anguish and concern to a number of people. I have had as many calls about that lottery as I have had about any single thing that has been done by the provincial government in the seven years plus that I have been a member here.

I am not going to go into the details, because it would be too time-consuming, but I want to tell the Minister of Housing (Mr. Irvine), if he should ever hear or read these words, that the lottery has not worked very well. There is a lot of concern, a lot of suspicion and a genuine feeling of hopelessness among a lot of people in the Hamilton area as a result of that lottery.

I urged upon the minister, at the time he conducted it, that it would have made good sense if he had drawn the names of all of the applicants from the drum and, by way of a priority list, had given the applicants who had their names in the drum the opportunity in sequence to obtain one of the homes being built under this lottery or would perhaps be built under the new programme which has been recently announced in the Stoney Creek Mountain area, which will house a great number of thousands of people over the course of a short period of time. He rejected that for what I consider to be a rather frivolous reason. He rejected it, as he stated it to me, because he felt that the possibility of people moving away or otherwise acquiring a property or their circumstances changing in the interim period didn't justify carrying

on with a system that would give priority to those who were already in the drum.

Well, that's fine. I don't consider it to be very valid, because obviously if they were given the opportunity and had either moved away or had acquired another property, then they wouldn't require it and would simply turn it down and the next number would get the choice. I think that his reason was wrong and that my suggestion still is valid and that he should reconsider.

I want also to urge this on him. I've had a lot of calls from people complaining about specific people being drawn. They've expressed the concern that some of them, to the best of their knowledge, should have been ineligible. I tried to set their mind at ease in the following way, by saying that just by virtue of having your name drawn out of the drum doesn't guarantee you that you'll get a house. That simply guarantees that you'll be given the opportunity, given that your application conformed with the law.

I want to suggest to the minister, if he should ever listen, that he has to be extremely careful in cross-referencing and in investigating the legitimate requirements of the lottery as it was set out. He has to be sure that the people whose names were drawn filled in their applications correctly, that the applications were factual and that on the basis of the application they did, in fact, qualify to get a home before the homes are ever really allocated. I urge him to do that. I urge him to be extremely careful and to check it extremely carefully. If he doesn't do it and problems arise as a result of people getting homes who were either ineligible for one reason or another or who rendered themselves ineligible by action of misfiling, they should certainly not be able to get into the home. The people who were legitimate applicants should be given an opportunity to move in.

I raise that with the minister because I'm going to tell him, and he knows this as well as I do, that the allocation of homes by the HOME programme doesn't seem to have been done very properly. There are a number of areas where people have got homes that shouldn't have got them and where people have got homes and not lived in them as required by the law. They've got a home and they've rented it to someone else. That's against the law, and little if anything was ever done about it.

I want to make reference to one particular case that was brought to my attention in order that I can substantiate what I'm saying to you, Mr. Speaker. Members have all read, I'm sure, in the paper about the difficulties encountered by the Nancekivells who live in Bramalea. The Nancekivells live at 12 Hernon Ct. and rent the home that they live in. Now 12 Hernon Ct. happens to be a Home Ownership Made Easy project. The Nancekivells, of course, weren't aware of that at the time they rented it. In April of this year they moved into a home which had not been previously lived in and which belonged to a person who had obtained it from the Ontario Housing Corp. under the HOME programme. They wrote to the Premier (Mr. Davis), since the Premier represents that particular constituency, and they asked if he would look into the matter. They wrote around Nov. 1 of this year, and are still waiting for an answer and haven't had it.

Well so be it he is a busy man; we understand that and that is the end of that particular part of the discussion. I raise it simply to let you know though, Mr. Speaker, that it was in fact raised previously in a private correspondence to which there has been no reply.

Let me tell you about what happened, Mr. Speaker. The Nancekivells answered an ad in the Toronto Star in April to rent a house at 12 Hernon Ct. They didn't know it was an OHC development and they didn't know the rules and regulations of OHC; and even if they had known the rules and regulations of OHC they wouldn't have thought they applied to them in any event.

The Nancekivells have been tenants since April of 1974. Mr. Kalyani is the owner-landlord of the house. He bought it in March of 1974. He never moved in as per the OHC agreement, yet he surely must have known that these were to be owner-occupied homes; and Ontario Housing Corp. surely must have known, or surely must have checked to determine that in fact owners did and do occupy the homes.

I might have been able to overlook the fact that it was rented had it been one or two or three years after the fact and Mr. Kalyani, for one reason or another, had had to move; or if OHC had given permission to Mr. Kalyani to rent the property that he had acquired under the HOME programme. But the fact of the matter is that in spite of the requirements that a purchaser must move into the property within 15 days after signing the agreement, Mr. Kalyani has not to this day ever lived in that house. He rented it. He

bought it for the purpose of renting it under the HOME ownership programme.

How did we find out? Well on Oct. 23 of this year, Mr. and Mrs. Nancekivell received a letter addressed to the occupant from OHC concerning two outstanding mortgage payments. They were advised by Central Park Developments, who are managers of the programme, to call a Mrs. Henderson of the Ontario Housing Corp. Mrs. Henderson suggested the possibility that Ontario Housing might repossess the home, another later advised the Nancekivells it was too late because Mr. Kalyani had sold the house on Oct. 1 of 1974.

He bought it in March and he sold it in October. In the interim period he never lived in it, he rented it. There was some problem over the payment of the mortgage, as I am told, and yet OHC apparently didn't realize, or turned a blind eye to the fact, that the rules which they had set up in an effort to ensure that people are able to get a home at a price they can afford within their programme are ignored; or at best they made little if any effort to ensure they had been lived up to.

Now the Nancekivells unfortunately have paid the rent for October and November to Kalyani, though he doesn't own the house according to OHC. In fact Mr. Kalyani sold the house to a Mr. Malhatra, who appears to be a friend of Mr. Kalyani; and to the best of the Nancekivell's knowledge Mr. Malhatra has never been inside the house. Since they are the tenants and have lived there all along, it seems rather odd that somebody would buy a house that they haven't even seen the inside of.

The OHC obviously had the grounds to repossess the house for two reasons. First, because it would appear, at least from the letter, to have been a non-payment of the mortgage payment. Secondly, because Mr. Kalyani had never lived up to his agreement to move in and had broken the law, or at least the regulations, by renting the property out.

Mr. and Mrs. Nancekivell would have liked to have purchased the house if it had been available. They were never given the chance. Mr. Kalyani sold it—whether with or without the approval of Ontario Housing Corp. That's not clear. But it seems that they were on the verge of repossessing when they discovered Mr. Kalyani no longer owned the house.

What in heaven's name kind of programme is it that we've set up in the Province of Ontario to meet the needs of the housing market? A person can go out, because he happens to have a few extra dollars, and can buy a house under the HOME programme and can rent it to someone else—and then can sell it, presumably at a profit, without Ontario Housing Corp. having any knowledge of it.

In how many other places is this occurring? It's hard to tell, but there are empty houses in this subdivision that have been empty since the subdivision opened. No. 27 Havenbrook has been sitting empty since June 5. Why has the owner not moved in in accordance with the contract? I don't know.

A lot of the information that I have I frankly don't want to use, but I want to tell you my feelings about the Ontario Housing Corp. operation, Mr. Speaker. There has been a lot said by the people in this House about the slackness of the operation; about the inability of the Ontario Housing Corp. to do its job properly. I'm not suggesting for one minute that anybody who works there wouldn't like to do a good job; not for one minute. I'm not even suggesting that the employees are anything other than honest and fair. I'm suggesting that it's entirely possible that they're overworked; that the job that they are required to do requires that they be given a different kind of freedom with which to pursue their work, if we're going to have any kind of reason and reasonableness about the Ontario Housing Corp.'s programmes and developments.

This government can't expect to have the support of the public in Ontario for its housing programmes if it's going to have this kind of thing occurring under the nose of OHC, with the information having been brought to their attention and with them apparently or seemingly having been unable to do anything about it. This is part of why the people in Hamilton, and the people in Bramalea, and the people across the province are not very confident about the way in which Ontario Housing Corp. does business. They're not confident at all.

They're not confident because a married couple is now going to be dispossessed of their place of living, presumably because they can't live there legally and simply because someone was able to circumvent the regulations, because there wasn't a sufficient check made to determine if they did, in fact, live up to the regulations. That's the concern. I express it now because that's the concern that's been expressed to me by so many people who are in the lottery and who have been involved in Ontario Housing Corp. dealings.

I've had calls from people about single people getting lots. This is also true in this subdivision, as related to me, assuming the information is correct—and I can only assume that it is. I've had information about people who already owned Ontario Housing Corp homes getting into the lottery and getting lots, and I want to be sure that a sufficient check takes place to guarantee that people cannot circumvent the regulations.

I would like to think everybody was trustworthy. I would like to think we could just simply leave it open to people and allow them to live up to the things they are supposed to live up, but quite obviously they don't. There are very clever people around who would use what should be legitimately available to lower income people for their own personal gain, and it's wrong. If the housing corporation programmes are to be successful then we are going to have to make sure that they are available only to the people for whom they were intended.

The Ontario Housing Corp. HOME programme was never intended to be a way for people to sell the homes they have and to take the profit and move into a lower-cost home. That was never the intention. It was never intended that people should be able to take that home and use it to make magnificent profits. That was never the intention. It wasn't intended that people should be able to manipulate the system with the use and help of Ontario Housing Corp. under the HOME programme, and yet that is what has been happening.

You'll recall, Mr. Speaker, that earlier in the year I raised some problems of people who had purchased under the HOME programme and who had then, by a number of devious means, put the homes up for sale at a very handsome profit. The problem with that is that what they are doing is depriving other families, who desperately need the accommodation and can't afford it, of the opportunity to get a home. That's what Kalyani was doing. That's exactly what he did in that situation. He deprived a legitimate family of living in a home of their own. He did it under the noses of Ontario Housing Corp.

The fact that there are empty homes in that subdivision, the fact that those homes have not been moved into, is in itself sufficient justification for Ontario Housing Corp. to review the entire subdivision and to determine whether or not the terms and conditions of the purchase agreement have been lived up to. The Nancekivells, of course, can't get that house, though they perhaps should have been able to get it; and maybe if people like Mr. Kalyani hadn't bought the house the Nancekivells, or people like the Nancekivells, could have gotten into it. That's why I say that the programme the government has put forward makes sense on paper, but in practice it just doesn't seem to stand up.

Every time I turn around I find someone somewhere, with very little effort, finding ways to use the Ontario government Home Ownership Made Easy programme to line their own pockets, at the expense of the public perhaps, but even more important, at the expense of so many other families who so desperately need the accommodation. I've got to say that the government must rewrite the terms of the HOME programme. If it is going to meet the needs of the middle and low-income groups then we are going to have to make sure that those are the people who get access to it.

Take my own situation. I could quite easily sell the house I live in, if I were lucky enough to have my name drawn in a lottery, and I could pocket—who knows?—$30,000 or $35,000. I could pay some ridiculous amount to Ontario Housing Corp. for a house perhaps much larger than the one I have, and I would then be using the system for my own gain at the expense of people who desperately need that accommodation. They couldn't afford to buy the house that I was moving out of. If they could have afforded that, that's where they would have been living.

So the government is going to have to rewrite the programme. It is going to have to rewrite the programme in order to ensure that the people for whom it was intended, the people who so desperately need an alternative market, the people who cannot go into the private market because they can't raise either the down payment or they can't afford the carrying charges or they can't, for one reason or another—generally speaking, income reasons—qualify to fit into the normal home marketplace. If this programme is to be successful, then it must be done for the people at the middle- and low-income level.

Now that means another thing. That means building three and four times as many houses as the government is currently building. It means providing an actual alternative market. And the outcome of that would be, as I have said many times in the past, that we would be able to force the price of the

private market down and we would generally then benefit from a much more reasonable shelter cost. Shelter costs for people just entering the market today are far, far in excess of their capacity to meet them.

I said when I was speaking the other night two or three days ago, in this same debate that the basic problem with the economy in Ontario does in fact rest with the Ontario government—or at least one of the solutions rests with the Ontario government. When people have to put out 60 or 70 per cent of their income on accommodation and 35 per cent of their income on food, then there is nothing left for the other purchases which maintain the economic prosperity of Ontario.

It's not the sale of houses and the sale of bread that makes Ontario economically prosperous; it's the sale of televisions and the sale of cars and the sale of couches and the sale of rugs and all of the other things that go to make up the standard of living that people in Ontario have been educated to enjoy and to expect. When you allow the basic necessities to rise to a point where there is no disposable frivolous income, then you eat away at the very things in Ontario which create the economic prosperity that we enjoy.

If people have no disposable income—and I repeat it for the benefit of the Speaker—if people have no disposable income over and above that which is required for necessities, the first thing they do is borrow more. They think there is something wrong with the way they manage their affairs, so they borrow. Interest rates rise. They then consolidate, because they have to. More personal bankruptcies occur, because they suddenly find that they can't make the payments any more. They didn't realize why they couldn't make them, but now they know they are not going to be able to live as they thought they were going to be able to live, given the job that they had. There is more marital breakdown. And then a cyclical problem develops: They stop purchasing, because they haven't got the capacity to do it. It affects manufacturing, it affects the basic material industry, and it creates more and more unemployment.

I want to suggest to you, Mr. Speaker, that housing, in itself, food notwithstanding—I'll talk about food later—has risen, with the assistance in some instances of the government, to a point where people are spending 50 and 60 per cent of their income just to provide accommodation. Let me just tell you what has happened, according to the business section of the Globe and Mail of some weeks ago. I quote:

> The consumer price index is based on a 1967 survey of family spending patterns and weights major component indexes: food, 25 per cent; housing, 31 per cent; clothing, 11 per cent; transportation, 15 per cent; other items, 18 per cent.

Do you realize that accommodation has risen faster than any other single part of the consumer price index? What cost $15,000 some 14 years ago now costs $48,000 to $50,000 on the free market. That's been the rate of rise in the housing field because it has been allowed and encouraged by land speculation on the part of the government, encouraged by a lack of activity on the housing front on the part of the government, and encouraged by the kind of thing which happened in Bramalea with the permission of the government.

As a result of the government's inability and incapacity or unwillingness to check and balance the system that it has created—to ensure that, in fact, the people who need, get, and those who tend to want to use the system are not afforded the opportunity—housing has eaten up so much more of the consumer's dollar than is reasonable or justifiable, to the extent that people now going into the accommodation in the housing market are faced with the very bleak prospect of having virtually no disposable frivolous income. They are unable to purchase the additional things which make up what the other members and I might call the standard of living that we would expect to see in a province as rich and economically prosperous as this one has been, and hopefully will continue to be.

That's where the real rub comes in, because when we talk about housing in Ontario, when we talk about it in this House, when we speak about the government's programme to provide housing, we talk about it in terms of people earning $15,000 and $16,000 a year. When one talks about housing on the private market one is talking about housing for people who earn well in excess of that. When one talks about the Ontario Housing Corp. programme, one is talking about people paying out $360 of their income on principal, interest and taxes. That includes land rental, of course.

When one talks about the Ontario Housing Corp. programme, or for that matter when one talks about housing in the Province of Ontario at any level, one talks about something which is becoming virtually a luxury. And I don't frankly see any conscious effort on the part of this government to do anything worthwhile in terms of trying to ensure

that there will be the opportunity for young people and those moving into the housing market to obtain for themselves the same kinds of opportunities that we here obtained for ourselves, given our willingness to work. That's the most distressing part; that's the part that causes me so much concern.

When I consider that not so many years ago the norm was to spend 25 to 30 per cent of income on housing or accommodation, and I consider today that people in the same general financial situation that I was in, and that most people here were in, 10 and 15 years ago, are now having to put out 45, 50 or 60 per cent of their income to acquire for themselves the very selfsame kind of accommodation that I was able to get for 25 per cent of mine, then there is something drastically wrong with the budgetary policies of the government of the Province of Ontario. That's why you can't support it, for other reasons, political and otherwise.

Hon. Mr. Winkler: Is the member comparing his income of that day to his income of this day?

Mr. Deans: It's funny the minister should ask that, because I was just going to speak about it.

In the job that I was doing in 1954, in 1954 I earned $5,200 a year. The house that I bought cost $14,880. It had a 6½ per cent mortgage, principal and interest payments of $87.50 a month, and it was amortized over 25 years. I still own it; it's the only house I own. In fact, I still pay the mortgage; it doesn't make sense to pay it off.

Hon. Mr. Winkler: Does the member mean he hasn't got the mortgage paid off?

Mr. Deans: No, why should I? At 6½ per cent? The minister is crazy. Now, let me tell the members, that selfsame job today pays $12,000 a year. That selfsame house, my friend, costs $48,000. The interest, at a minimum, is 11 per cent.

Hon. Mr. Winkler: Is it inflated?

Mr. Deans: Is it inflated?

Hon. Mr. Winkler: Yes, the price of the member's house.

Mr. Deans: No, the price of my house is neither here nor there. We are talking about comparative situations—

Hon. Mr. Winkler: I just asked the question.

Mr. Deans: We are talking about comparative situations in terms of the exact same house built in today's market for today's people. The interest rate today is 11 per cent, or perhaps 12 per cent, depending on where you get your mortgage and how lucky you are. The payments on that house are a minimum of $240 a month, amortized over 35 years. I am saying that the opportunities available to people today are not anything like the opportunities that were available to people 10 years ago.

When we hear about the budgetary policies of the government of the Province of Ontario, we hear glowing terms about our economic prosperity and our triple-A rating. We are also told about the government's housing programme and the number of houses they build. They also talk about their involvement with people and about how people's incomes are rising. But the only way to determine whether people are as well off economically today as they were 10 years ago is to take the same job, the same income and the same house and compare them.

Hon. Mr. Winkler: We're better off than any other province in Canada.

Mr. Deans: What I am saying to the government is that as a result of its land speculative policies and its inability to control housing costs—

Hon. Mr. Winkler: The member doesn't believe in landbanking, eh?

Mr. Deans: —and as a result of its inability to recognize that there was a major problem developing in housing and that housing was going to cost considerably more in terms of the consumer dollar than it rightfully should; and because of the government's inability to develop new and innovative programmes that would meet the needs of the people of the Province of Ontario, it has allowed those people whose prime purpose it is to obtain money—not to build houses, but just to obtain money—to take advantage of the population of the province who are in the housing market. That's where the problem lies.

I can walk outside and sell my house to anybody I like. Of course I could sell my house for $48,000. The problem is, though, that I have got to spend the $48,000 to buy another one just like it.

Hon. Mr. Winkler: If you ask too much money, you are a speculator.

Mr. Deans: I am not one bit better off than if the house had been worth $14,800.

If that house had still been worth $15,000, as it was 10 years ago, that would have meant that, comparatively speaking, other houses were in the same range and there would be a simple transfer of money. That's all we are talking about. I am not better off. The only time one is better off is if one sells the house, pockets the money and leaves, and that doesn't happen to be the case for most people. In fact, by virtue of the things that the government has and has not done, it has allowed that major component of the consumer price index, that major and essential part of everyday life, to get to the point where it is becoming virtually a luxury to own a house. It's absolutely ridiculous, and it comes about by virtue of the kind of land deals that the government has been in and by virtue of the inability of the government and of its Ministers of Housing to go into competition with the private sector, rather than shoring it up. It has been a long-held policy of the government of Ontario to do that, rather than to compete and provide an alternative marketplace, albeit that it might not be quite as luxurious and that it might be ever so slightly smaller, but nevertheless a comparative and alternative marketplace to the private sector.

I am not saying that the government should take it over. I am just saying it has got to build houses that people can afford. I don't care if they are amortized for 50 years. I don't care if we do own the land. And if we have to amortize the return of cost for that land over 50 or 100 years, it makes no difference to me. The important thing is that we should have policies which will put houses into the market at something like a reasonable cost to the consumer of the Province of Ontario. The government hasn't succeeded in doing that. If there is anything it has failed in, it has been in that area. And, by my view, for whatever that's worth, it's simply because this government doesn't have any sense of the urgency felt by the majority of the people who are entering the housing market for the first time.

It's so easy to sit back as a member of the Legislature pulling down $22,500, plus select committee money — or a cabinet minister making considerably more — it's so easy to sit back and pretend to know what people feel and what kinds of pressures they're under.

A lot of things have been said recently by the Minister of Housing about how his policies are working and how they're holding down the price of housing. Let me read from a column of Dec. 7 in the Hamilton Spectator. I read it fairly regularly; it's an excellent column. I'm sure my colleague, the member for Wentworth North (Mr. Ewen), also reads it. It's written by Paul Wright and it's about housing. He writes a column every Saturday about it.

It would serve the Minister of Housing well to read it, because it provides a remarkable insight into what's happening in housing in the Province of Ontario. It provided a remarkable insight into what was happening 10 years ago. And it has, over the course of time, updated itself to the point where, had the Minister of Housing followed it with any degree of interest at all, he could have foreseen what the problems were going to be and how they could have been resolved.

Paul Wright's reporting on a statement made by George Couillard of Quebec City. And he writes:

> The buyers market for real estate appears to be nearing an end and prices that have levelled off since late spring or early summer are expected to firm within the next two or three months, and then begin an upward climb.

I'm always interested in terminology. Prices are "expected to firm"; what that means is they're going to stabilize at the high end and then they're going to rise some more.

This is the message delivered by George Couillard of Quebec City, president of the 37,500-member Canadian Real Estate Association.

> And once again Ontario, particularly the Golden Horseshoe area, will feel the heaviest punch with the price of resale homes increasing by as much as 22 per cent.

Now I ask you, Mr. Speaker, if a house is valued today at $40,000—and, boy, that's not much of a house these days—and it rises by 22 per cent, that means that house is going to cost $51,000 by next year, or pretty close to it. It's crazy, but nobody seems to be capable of doing anything about it.

Hon. G. A. Kerr (Solicitor General): Housing is going to go down in the next six months.

Mr. Deans: Housing is going to go down? Ha! Here he comes.

Hon. Mr. Kerr: It has reached its peak.

Mr. Deans: Nice to see the minister. Why doesn't he listen?

Hon. Mr. Kerr: What the member is quoting is what a real estate agent is saying. He wants people to buy his houses now.

Mr. Deans: Yes, that's right; that's a real estate agent. That's an interesting thing. I'll come back to the column in a minute. Does the minister know that real estate agents have a great influence on whether housing prices will rise or fall?

Hon. Mr. Kerr: To a certain extent, with propaganda like that.

Mr. Deans: To a certain extent? To a big extent!

Real estate agents, in fact, use an escalating process where if they sell one house up the street for $40,000, they walk down to Mr. Jones four doors away and they say to him: "Say, Mr. Jones, I got"—

Hon. Mr. Kerr: "I got $40,000 for that old shack up the road."

Mr. Deans: —$40,000 for the house up the street, and I think I can get you $42,000 for yours." Now why do they do that? Is it because they're really worried about Mr. Jones?

Hon. Mr. Kerr: More commission.

Mr. Deans: That's right. So it's funny how, when they predict that housing prices will rise, and since they have such a large influence on the market, the minister would then say to me that it's not going to happen. The minister is wrong.

Hon. Mr. Kerr: Because they want to get rid of them now. They know the prices are going to drop.

Mr. H. Worton (Wellington South): What a dreamer.

Hon. Mr. Kerr: Take my word for it.

Mr. Deans: I took the minister's word for the clean-up of Hamilton harbour, I've got to tell him.

Hon. Mr. Kerr: Wait, wait.

Mr. Deans: Okay.

Addressing the media after making a swing across Canada, the CREA president based his predictions on the following observations. Listen.

1. Housing starts are likely to be between 175,000 and 195,000, and not the 210,000 forecast by Urban Affairs Minister Barney Danson.

2. Little change can be expected in mortgage interest rates in the immediate future although there may be a slight downturn in the new year.

Which by the way—and I interject—

Hon. Mr. Kerr: It is gone down now.

Mr. Deans: Which by the way would result in a faster resale and increase in price; because people who were able to offer mortgages that could be renewed within a short period of time at a lower interest rate would therefore be in a position to sell the house much more readily and get a little extra for it.

Hon. Mr. Kerr: It won't go down enough to make a difference. The gross won't be big enough.

Mr. Deans: 3. There is a growing shortage of residential units in major cities.

The minister can't disagree with that.

Hon. Mr. Kerr: Certainly I can.

Mr. Deans: The minister doesn't agree with that either?

Hon. Mr. Kerr: The number of unsold single-family dwellings has increased outstandingly in the last month. Substantially because of the mortgage situation.

Mr. Deans: I see. We will come to that too.

4. The shortage of serviced lots is making it increasingly difficult for builders to produce cheaper housing which meets requirements of the various levels of government.

Although Mr. Couillard predicts that the price increase next year will be lower than this, shortages will be the main problem facing the industry.

He is rather pessimistic about solutions offered by the federal government to solve the nation's housing ills. He says although there are some commendable programmes to encourage housing construction for moderate income groups, many of the government's efforts are negated by its other activities.

While taxpayers are being asked to tighten belts as inflation continues, the high living of federal governments and provincial governments, I might add—

Hon. Mr. Kerr: That is not in there though.

Mr. Deans: I said I might add—is making it difficult for some taxpayers to make ends meet.

Mr. D. W. Ewen (Wentworth North): What date is that?

Mr. Deans: It is Dec. 7 this year; last week, last Saturday.

According to the CREA president, 70 per cent of Canadian families cannot afford to purchase a house despite the fact 23 per cent of them have an income of more than $15,000 a year.

Now that, in a nutshell, is the problem. Seventy per cent cannot afford to buy a house, although 23 per cent of them have an income of $15,000 a year.

Hon. Mr. Kerr: That's single-family dwellings.

Mr. Deans: Now when the Solicitor General starts talking to me and making a difference between single-family dwellings and multiple-family dwellings, what he is telling me is that the people of today shouldn't expect to have the same opportunities as he did. That's what the minister is telling me.

When he sits there and says to me that's single-family dwellings, I am telling him 10 years ago the average worker in the average plant making the average salary could afford to buy a single-family dwelling; and today he can't.

Hon. Mr. Kerr: Obviously we should have brought the spec tax in three or four years ago.

Mr. Deans: The government didn't have to bring the spec tax in. If the government had done what was suggested by virtue of the use of the land it held at the time, it could have kept the price of housing down; and it didn't.

Hon. Mr. Kerr: It was just a drop in the bucket then.

Mr. Deans: A drop in the bucket nothing; it would have had a major impact in the overall cost of housing.

Hon. Mr. Kerr: The government didn't own enough land then.

Mr. Deans: I want to say this to the minister that it is an unfortunate circumstance when the child of a family can contemplate this: That if he earned the salary his father and mother earn, either singly or between them, he couldn't afford to buy the house they live in; and that's true for 90 per cent of young people today.

Hon. Mr. Kerr: Yes, but he is making a lot more than his pappy did at his age.

Mr. Deans: It doesn't matter. The fact is that at the time his father was making a lot less there were homes available for him to live in within his means; but today, in spite of the fact that he might earn the same salary as his parent, there is not a place available for him to live within the 25 to 30 per cent that we once thought was a reasonable amount of anyone's income to expend on accommodation.

Now surely to heaven it makes sense that if we do nothing else; if we stop building Ontario Places, if we stop building Science Centres, if we stop renovating Parliament buildings, if we stop spending money on things which are delightful, pleasant, comfortable and nice and if we spend the money on the things which are essential; that we might be able to provide people with the essential things at a cost which they can afford.

Isn't that the mandate of government? Isn't that what government is all about? Isn't it the function of government to have sufficient sway on the economy to ensure that the majority of the people who live in the jurisdiction over which it governs, can afford the essential things at a cost which they can afford within their means?

That's where the government has failed. If it has failed in any single area it has failed there. It is the one indictment—if there was to be no other, and there are so many of them—but if there was to be no other indictment of the government it surely must be that in the one single area which takes the largest percentage of a person's income and which is absolutely essential, the government hasn't been able to exercise even a minor degree of control.

Hon. Mr. Kerr: We should have provided serviced lots and stayed out of housing.

Mr. Deans: That's fine, but there's no point in the minister sitting here in the House as the Solicitor General in the year 1974 and telling me what the government should have done, because it is still not doing it. It is still not, even yet, doing the very thing that he said it should have done.

Hon. Mr. Kerr: Oh yes, we're building 180,000 or 190,000 housing units.

Mr. Deans: The government is not building 180,000 or 190,000 houses.

Mr. Worton: Where has the minister been?

Mr. Deans: It will be lucky if it reaches 90,000 housing units this year—lucky. That's

well below the projection and it's only a fraction of the need.

Hon. Mr. Kerr: Don't forget the whole question of money supply and labour.

Mr. Deans: Then we'll talk about money. By allowing the housing market to absorb such a large portion of disposable income and by allowing housing prices to rise—

Hon. Mr. Kerr: What percentage?

Mr. Deans: —to three times what they were 10 years ago—

Hon. Mr. Kerr: Twenty.

Mr. Deans: Ten years ago. I told the minister; I gave the House the figures: $15,000 in 1964—

Hon. Mr. Kerr: The member said 1954.

Mr. Deans: Nineteen sixty-four.

Hon. Mr. Kerr: The member should read Hansard tomorrow. He said 1954.

Mr. Deans: No, no, I said 1964.

Hon. Mr. Kerr: I said to myself, that's 20 years ago.

Mr. Deans: To allow a house which cost $15,000 in 1964 to rise to $48,000 in 1974, what's happened? The government says there isn't enough money.

Hon. Mr. Kerr: The member made more than $5,000 in 1964.

Mr. Deans: In 1967 they told me the government couldn't raise enough mortgage money to provide the numbers of houses that we thought the government should have and yet funnily enough, in 1964 when the average mortgage ran at about $12,000 per unit—

Hon. Mr. Kerr: NHA.

Mr. Deans: NHA? That doesn't matter, the average mortgage—it doesn't matter whether it was NHA or otherwise—

Hon. Mr. Kerr: It's not an average.

Mr. Deans: —the average mortgage was $12,000 per unit. There was sufficient money available at that point to meet that need. That same house today has a mortgage of $40,000 per unit. That means there has to be 3.3 times as much money available for mortgages today as there was available for mortgages in 1964.

There was, in fact, the money. The money was there and had the government gone ahead and built the houses that it needed during the late 1960s and early 1970s and not allowed this extravagance and usury to take place, it could have built a sufficient number of houses without raising a single dollar more in terms of mortgage money than has been available. And it failed.

Hon. Mr. Kerr: Were we in housing in 1964?

Mr. Deans: That's exactly where the problem lies. I'm not going to talk to members about the government's fancy programmes. I'm not going to talk to them about the kinds of things the government might do to improve the quality of life. I'm talking to them about providing for the needs of the people of the Province of Ontario, and nothing else.

I'm talking to members about the single, most important function and I'm talking to them about the one thing the government can't blame the federal government for. It can't even blame Saskatchewan or British Columbia. What they do, they have to answer for, and the fact that they don't do what I would like to see them do, is what I indict them for.

Mr. Worton: The minister will have to resign.

Mr. Deans: What I'm saying is that the Solicitor General given the wealth of this province and its triple-A rating, the government should be able to raise the money necessary to build the houses that are required to lower the price.

Hon. Mr. Kerr: Too many families.

Mr. Deans: That, I say to the Solicitor General, is the primary responsibility that faces the government of Ontario in 1974.

Hon. Mr. Kerr: Where does the government get its money?

Mr. Deans: The government gets its money from exactly the same places as it has always gotten its money, it gets its money out of the country.

Hon. Mr. Kerr: Oh, no.

Mr. Deans: Listen, I had a broker approach me the other day. The Solicitor General's colleague just came back from Arabia or some place, and prior to that time had been in Germany—he'd been raising money all over the world. I'll tell the minister

what I was told, and he can check it out. It may be false, but this party had no reason to tell me otherwise. He talked of $500 million available today at 8.5 per cent. Let's add a half a per cent for the cost of administration; let's even absorb the half a per cent and say it is, like a road, a worthwhile endeavour, and let's build houses with that money.

Let's put that money into housing. Let's give people a chance to get a mortgage at a mortgage interest rate they can afford. Let's do away with this nonsense of five-year renewable mortgages, because all that has happened in that regard is that the government has taken further from the pockets of people working in the Province of Ontario and put it in to the hands of the money lenders.

There is something wrong with a government that thinks that's right. If the government thinks that's right, then there is something wrong with its position in that regard.

Hon. Mr. Kerr: The government can't lend the total amount of money to build housing. They have to rely on the private sector. The member knows that.

Mr. Deans: The government has relied on the private sector since the beginning of time. The government is in the mess it is in today because it has relied on the private sector almost totally to provide accommodation.

Hon. Mr. Kerr: The government should have provided the services, roads, planning.

Mr. Deans: Perhaps the government should have provided the services, perhaps the government should have taken into account a different method of making sure the developments could take place, but the fact of the matter is that it chose the route that it chose.

It allowed the private sector to run hog wild. It allowed the private sector to raise the prices unnecessarily and without any justification. It refused every single step of the way to compete with the private sector.

Mr. Speaker: Would the Solicitor General, the hon. member for Halton West, refrain from interrupting the hon. member for Wentworth? He has an opportunity to reply to the budget debate at some later date.

Hon. Mr. Kerr: I didn't realize you were over there, Mr. Speaker.

An hon. member: That's the stuff.

Mr. Deans: I should say to you, Mr. Speaker, that I welcome the interruptions.

Mr. Speaker: I know you are enjoying it, but that's not getting along with the business of the House.

Mr. Deans: What's not getting along with the business of the House? What are you talking about? It's not my fault that—

Mr. Speaker: You have the floor, and I want the members of the House to give you the opportunity to speak.

Mr. Deans: Don't worry about it, I welcome it. It is such a pleasure to have the minister here.

Mr. Speaker: I know you are neighbours. If you want to have a friendly argument some time over the fence, why that's your business, but not in the Legislature.

Mr. Deans: I want to tell you something; you are interrupting me more than he is if you want to know the truth. At least with him I could a word in edgeways.

An hon. member: So there!

Mr. Speaker: Do you want to carry on?

Mr. Deans: Yes.

Mr. Speaker: Go ahead then.

Mr. Deans: Talking about the business of the House reminds me of something I meant to say to you earlier, which is related, I suppose, to housing. It would have been more useful if instead of my speaking in the budget debate the government had brought in a housing policy that we could debate. It seems a shame that on Dec. 10 we should be debating the budget simply because the government hasn't any legislation or any ministers here to do any work. Anyway, so be it.

People start telling me about housing prices dropping. I was kind of interested in an article in the Toronto Star of Dec. 7, because it too lends credence to what I was saying and to what was reported in the Paul Wright article of Saturday, Dec. 7, in the Hamilton Spectator.

Here we have a picture of an adjoined house, with two families living side by side. Do you know what the price is, Mr. Speaker? It is $49,300 per unit. Where do the working people of the Province of Ontario get the capital to buy a $50,000 house? That's really the question I have been posing all the way along. People have the gall, the nerve, to speak of prices starting at only $52,000.

However, quite obviously I am not going to make any impression on members of the government since they are not here; so I'll move on.

Mr. Worton: Don't give up.

Mr. Deans: Oh, I never give up. If the member feels like interjecting, be careful. The Speaker cuts out interjections.

Mr. Speaker, I don't believe we have a quorum.

Mr. S. Lewis (Scarborough West): A quorum call, Mr. Speaker.

Mr. Deans: I don't believe we have a quorum. I'm sorry; I would like to continue to speak, but I think it's against the rules of the House.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: We now have a quorum. The hon. member may continue.

Mr. Deans: I am certainly delighted to have a quorum present. I wouldn't want to speak without a quorum.

When we talk about housing prices rising, I tend to go back and talk about—

Mr. J. H. Jessiman (Fort William): The Marxist is missing. We would like to have him here. He is one of the member's people.

Mr. Deans: I am sorry.

Mr. Jessiman: I said his millionaire Marxist is missing.

Mr. Deans: Oh, by the way, I am going to talk about land costs again tonight. Does the member want to stay?

Mr. Jessiman: I can't hear the member.

Mr. Lewis: Does the member for Fort William remember the unearned increment on land? He knows something about that.

Mr. Jessiman: I can't hear the leader of the NDP.

Mr. Lewis: The member just made a speech in Fort William defending it and attacking the big city press—

Mr. Jessiman: I can't hear the member for Scarborough West, louder, please.

Mr. Lewis: —and telling us how unfair they are to the Tories.

Mr. Deans: When I talk about housing and when I refer to prices of 1964 and compare them with prices of 1974—

Mr. Jessiman: Where is the member for Port Arthur (Mr. Foulds) and also the member for Thunder Bay (Mr. Stokes)? They are both missing.

Mr. F. Young (Yorkview): The member for Fort William is missing far more.

Mr. Jessiman: They are both missing right now.

Mr. Deans: The difference is that I rehearsed this with them in caucus, and therefore they know what it's about and don't have to be here. They are in committee, that's the difference.

Mr. Jessiman: The member for Port Arthur and the member for Thunder Bay are missing.

Interjections by hon. members.

Mr. Deans: Let me just give you some examples, Mr. Speaker.

Mr. Lewis: Is this the maiden speech of the member for Fort William?

Interjections by hon. members.

Mr. Jessiman: I can't hear the member for Wentworth with his curly hair.

Mr. Deans: Who was that?

Mr. Lewis: That was Jessiman.

Mr. Deans: Jessiman.

Mr. Lewis: J-e-s-s-i-m-a-n.

An hon. member: He can spell it backwards too.

Mr. Lewis: He is not too well known to Hansard, he is the guru of grunts from the back row over there.

Interjections by hon. members.

Hon. Mr. Kerr: What was the name of the gal with Brando in "The Last Tango"?

Mr. Speaker: I wonder if we could have some order here and if the member would continue his speech.

An hon. member: How about that for an acting Speaker?

Mr. Young: He looks like a red to me from the red shirt he is wearing.

Mr. Deans: You will recall, Mr. Speaker, particularly that we made some inquiries in the early part of the year about the rising costs of housing. We used some of the figures that were available to us at that time just to show what was happening. I think it probably serves my purpose fairly well if I were just to pick a selected few of those to show what I mean by pricing housing out of the reach of the average individual in the Province of Ontario.

Bear in mind that the average worker in the Province of Ontario doesn't earn in excess of $12,000 a year. Keep in mind that in fact there are a great many people in the Province of Ontario who earn $7,000, $8,000 or $9,000 a year.

It might be worth telling you, Mr. Speaker, and I am sure you are aware of it if no one else in the House is, that many of the people in the civil service who are currently attempting to negotiate a settlement with the government are earning $8,000 a year and less and that their opportunities to live in the province of opportunity, given that they are employees of that province, are severely inhibited by the income levels paid to them by the government. I have personal knowledge of the incomes of some of them since I happen to be intimately related to one of them.

Let me just tell you, Mr. Speaker, that we took a look at some homes. Here's a home that in 1965 sold for $12,600; in February, 1974, it was evaluated at $38,300. Another home in 1965 sold for $21,800; in February, 1974, it was evaluated at $50,500. Another home in 1963 sold for $11,700 and the value in 1974, in February, was $36,700. A home in 1964 that sold for $15,900 has the value, in February of this year, of $51,400.

I want you to remember, Mr. Speaker, when I talk of 1964 I am talking about a period when the average income of the average employee in the province was about $5,200 to $5,800 a year. It may have run just slightly under $6,000. We are talking today about a time when the average income runs at something less than $12,000, and for a great many people earnings of $8,000 and $9,000 are quite common. We are talking about house prices that have risen since 1964 to a point two and three times what their value was at the time of evaluation.

Here is a house that sold in 1964 for $25,000; in February, 1974 it was valued at $60,000. Another one sold in 1963 for $14,500—by the way, by 1967 this house had risen to $18,000; a reasonable increase over the course of nearly four years—by 1974 this house that had sold in 1963 for $14,500 was valued at $47,100.

And so it goes on. This is the problem that this government has failed to come to grips with. Here we have people with incomes rising from $5,200 or $5,800 to $12,000, with house prices rising from $14,000 up to close to $50,000. I think that's where the government has failed rather miserably in trying to provide any kind of leadership, or any kind of guarantee, or any kind of protection for the people who ultimately have to pay the shot—and hopefully ultimately have to vote against the government.

Anyway, it's not only in housing, because we can talk about housing forever. The problem now is that it's obvious to most of us that this government has absolutely lost the desire to do anything about it, that it has no intention of doing anything, that it never really did have any intention of doing anything, and that its policies over the course of time were geared more to protecting the private developer and the private sector in the housing market than they were toward ensuring that the public was protected against the gouging; and I think that's one of those areas for which the government has to accept the full responsibility.

But we can go on, because the problems that we face in housing we face in other areas of the cost of living. I think that every day when the members go shopping, as I do, I am sure they realize that more and more of our disposable dollars are taken up by the cost of food and taken up by the cost of household supplies.

In order that we can set the background against which I want to make a case about rising costs, let me say that it might be reasonable for a person to think that in a time when the consumer dollar was under such pressure, in a time when the purchasing power of the consumer was being eaten away by extravagant costs, at a time when we find more and more of the available dollars taken up with essential things and fewer and fewer of the consumer dollars available for purchasing other than in the essential areas, we would see reflected in the profit margins of corporations a similar kind of pressure; that as the consumers and the employees of the province find fewer and fewer available dollars to spend for purchasing purposes, we might reasonably think that we would be able to see a similar pressure in the profit margins of the various corporations and in

the various sectors of the economy, but this doesn't seem to be the case, Mr. Speaker.

For example, in the Toronto Globe and Mail—I am sure the member for Cochrane South (Mr. Ferrier), who is now in the Speaker's chair, reads it every morning; at least when he is not in Timmins—the Globe and Mail business section puts out a very good cataloguing of the various groups that make up the economy. The indications are that in spite of the pressures, in spite of increasing costs, profit margins have continued to rise at rates which heretofore would have been considered obscene. If profit margins had risen in years gone by at the rate at which they have been rising over this year, particularly in the essential areas, there would have been a hue and cry, and there should have been action by the government.

Let me go through them one by one. Banks: Looking at the third quarter of 1974 over 1973, we find banks with a rise of 8.8 per cent. We find chemicals with an increase of 118.3 per cent. We find construction and materials with an increase of 28.6 per cent. We find general manufacturing with an increase of 38.8 per cent. Industrial mines, an increase of 35 per cent. Paper and forest industries, an increase of 91.9 per cent. Real estate—which I have just finished discussing—with an increase of 179 per cent. Steel had an increase of 56.8 per cent, and I hasten to draw to the members' attention that the Steel Co. of Canada and Dominion Foundries and Steel have again recently announced increased prices for their basic steel products. In spite of profit margins which have never before been enjoyed, and profit rate increases that have never before been seen in the industry, they still found it necessary to raise the price.

Mr. J. A. Taylor (Prince Edward-Lennox): Now explain why share prices are so low?

Mr. Deans: In western oils, which are of some concern to everyone, there is an increase of 87.9 per cent; and that takes into account, of course, the recently negotiated settlement between the Premier of the Province of Ontario, who obviously didn't have much expertise in the field, supposedly on behalf on the consumers of the Province of Ontario, and the federal government.

I think that when you recognize the increase in the profit margins in those fields, Mr. Speaker, you've got to feel a sense of both annoyance and frustration. You've got to be asking yourself, as I ask myself, how is it at a time when the pressure is on the consuming dollar, at a time when people are finding it more and more difficult to make ends meet, that the profit margins of these major corporations are allowed to rise by leaps and bounds unchecked, they're allowed to take out of the economy whatever the traffic will bear without any government scrutiny, and there is no effort made on the part of this government or the federal government to ensure that the consumer is being protected against the kind of gouging which the hon. members and I both suspect and feel sure has been taking place in the marketplace?

I want to refer the House to some other statistics because I think that they're—

Mr. J. A. Taylor: Explain why the share prices are so low.

Mr. Lewis: Explain what?

Mr. J. A. Taylor: I said explain why, if the share prices are so low, these corporations are so attractive. It sounds contradictory. Maybe the member can elucidate and assist the members.

Mr. Lewis: Which share prices does the member refer to?

Mr. Speaker: Order.

Mr. J. A. Taylor: The whole category that the member for Scarborough West's comrade has been speaking of.

Mr. Speaker: Order.

Mr. Lewis: Banks and oil companies?

Mr. G. Samis (Stormont): Elucidate.

Mr. Lewis: Share prices are low?

Mr. J. A. Taylor: Certainly.

Mr. M. C. Germa (Sudbury): The member doesn't understand Monte Carlo, eh? Does he know what crap games are?

Mr. J. A. Taylor: Check the stock market page.

Mr. Deans: The member talks about the stock market. The one thing I would do, I think, if I were the government, is I would ban the publishing daily of the stock market reports. Does the member know why?

Mr. J. A. Taylor: There would be no stock market if the members opposite were the government because they would own all industry. That's a part of their philosophy.

Mr. Deans: That's nonsense.

Mr. R. D. Kennedy (Peel South): Right on; right on.

Mr. Deans: The fact of the matter is that the stock market basically reflects an uninformed public's gambling in the development of the country.

Mr. J. A. Taylor: The member for Wentworth doesn't understand basic business.

Mr. Deans: Notwithstanding what the stock market might be doing, I don't think that even the member for Prince Edward-Lennox could deny that profits have risen in the last year and a half at a rate that has never been seen in this country before.

Mr. J. A. Taylor: Explain why, interpret for us.

Mr. Deans: Is the member telling me that's wrong? Is he telling me that the profits in this country have not risen by the amount I've said? Is he telling me for one minute there's justification for the profit-taking that has been allowed in this country in the major areas? Is he telling me there was a need for price increase in the steel industry, given the rapid increase in profit that is shown by the statements of the companies involved?

Is he telling me that it's right that we should be paying more for oil in Canada than we were paying a year ago, given the astronomical rate of return and profit margin of the oil companies? Is he telling me that the people who earn $5,000, $6,000, $7,000 and $8,000 a year should be paying the kinds of prices they're paying for fuel oil, given the negotiations of the member's Premier with the other premiers and the Prime Minister of Canada, given the rate of return and the profit margins of the oil companies? Is he telling me those things?

Hon. Mr. Kerr: He is trying to.

Mr. Deans: Is he telling me those things? Is he telling me that it's right that real estate should show such an astronomical increase in profit at a time when—

Mr. J. A. Taylor: The member won't let me tell him. He doesn't know the answers himself. Would he like me to tell him? If he would let me tell him, I will.

Mr. Deans: —when prices are rising beyond the ability of people to pay? Is that what he's telling me?

Mr. J. A. Taylor: But the member doesn't want me to tell him.

Mr. Lewis: Well of course we don't want him to tell us. He's a barefoot boy from Bay St. who went down to muck about on the farm and he pretends not to know. Come on now. Who needs that? Who needs that? Come on now.

Mr. G. Nixon (Dovercourt): Get off that stuff.

Mr. J. A. Taylor: The member is a pompous ass who doesn't know what he's talking about.

Mr. R. F. Ruston (Essex-Kent): The people have lost confidence in the system and so share values are down, that's all.

Mr. Kennedy: The two Liberal end men, what do they think of them?

Mr. J. A. Taylor: If the Speaker would permit me to respond to all of those inferences and questions I'd be delighted to do so.

Mr. Deans: Let me go on because I hear my colleague from—where the devil is he from anyway?

Mr. Lewis: Prince Edward-Lennox.

Mr. Deans: Prince Edward-Lennox.

Mr. J. A. Taylor: The member will find out one of these days. We can't expect too much from him.

Mr. Deans: I hear my colleague, the member for Prince Edward-Lennox, talking so much and saying so little. Let me ask him: Does he think at a time when people are finding their consumer dollars being eaten away by the rising cost of food, that it is reasonable that Maple Leaf Mills should have a 57.7 per cent increase in profits, net income after taxes—

Mr. J. A. Taylor: Don't ask me these questions; because the member doesn't want the answers.

Mr. Deans: —in the nine-month period ending September, 1974.

Mr. J. A. Taylor: He is not interested in the truth.

Mr. Deans: Is the member telling me that it is reasonable that at a time when people don't have sufficient income—

Mr. J. A. Taylor: But he doesn't want me to tell him. He is only interested in histrionics.

Mr. Deans: —to buy the things that they have to have, that it is reasonable that Gulf Oil should show a 91.8 per cent increase for the period ending Sept. 30, 1974, over a similar period in 1973? Is he telling me—

Hon. Mr. Kerr: That is gross; that is gross.

Mr. Lewis: Right! That is gross.

Hon. Mr. Kerr: The Province of Saskatchewan had a 9,000 per cent increase in the price it gets—

Mr. Lewis: That's right. It is an agricultural economy.

Mr. Deans: Is he telling me that it is reasonable that in the mining sector Kerr Addison Mines should show an increase of 76.5 per cent in the nine-month period ending Sept. 30, 1974, over 1973? Is he telling me that it is reasonable that Noranda should show a 61 per cent profit increase, net income after taxes, in the period ending Sept. 30, 1974, over the similar period in 1973?

Mr. J. A. Taylor: He is asking a lot of questions. He doesn't want the answers; and he doesn't know the answers himself. Why doesn't he go out and buy some of that stock?

Mr. Deans: Is he sitting there telling me that he is defending the corporate sector when it—

Mr. J. A. Taylor: I am not trying to tell the member anything. He is a know-it-all. No one can tell him anything.

Mr. Lewis: Mr. Speaker, on a point of order, sir. Would you name the member for Prince Edward-Lennox and throw him out of the chamber? I presume you don't take your task lightly?

Mr. Speaker: I am in a benevolent mood tonight.

Mr. Lewis: You have to be benevolent.

Mr. Deans: The member for Prince Edward-Lennox raises what he considers to be valid points. And let me continue to ask him, because I would like to know what he is telling me.

Mr. Speaker: I would prefer that you would address the Chair.

Mr. Deans: Mr. Speaker, to the member for Prince Edward-Lennox, since he seems to have so much to say—

Mr. C. J. S. Apps (Kingston and the Islands): It is the first time he has had an audience tonight.

Mr. Lewis: I wouldn't call that an audience—a straight man, yes; an audience, no.

Mr. Deans: Does the member for Prince Edward-Lennox think that it is reasonable that Abitibi should be enjoying a 115.4 per cent increase in net income after taxes for the six-month period ending June 30, 1974, over 1973? Is he telling us that it is reasonable that Consolidated-Bathurst should be enjoying a 216.1 per cent increase for the six-month period ending June 30, 1974, over 1973?

Mr. Lewis: Most of it from the Algonquin Park area.

Mr. Deans: Is he perhaps trying to tell us that it is reasonable that Alcan Aluminum should enjoy a 136 per cent increase for the six-month period ending June 30 over a similar period in 1973?

Hon. Mr. Kerr: Just think of all those little old widows. They have that stock.

Mr. J. A. Taylor: He is trying to make a horse chestnut out of a chestnut horse?

Mr. Deans: Do you think, Mr. Speaker, that the member for Prince Edward-Lennox is telling me that Texasgulf's second-quarter profit increase in 1974 over 1973 of 143.3 per cent is reasonable?

Hon. Mr. Kerr: That hits home doesn't it, Mr. Speaker? Name him.

Mr. Deans: I mean, do you think, Mr. Speaker, that the member for Prince Edward-Lennox is defending the government because he thinks that Ashland Oil's nine-month return of 86 per cent in the period ending June 30, 1974, over a similar period of 1973, is a reasonable rate of return and a reasonable increase? Do you think maybe he thinks, Mr. Speaker—

Mr. Lewis: I doubt it.

Mr. Deans: —that given the pressure on the consumer dollar, that Imperial Oil—paupers though they may be—

Hon. Mr. Kerr: Unleaded gas.

Mr. Deans: —with an increase of 84.2 per cent in the six months ending June 30, 1974, over 1973, is fair? Do you?

Mr. Lewis: The member for Prince Edward-Lennox just lost his seat tonight.

Mr. Deans: How about Shell Oil? Maybe the member for Prince Edward-Lennox is speaking on behalf of the Shell Oil company. That's probably what it is; and he is defending the 101.4 per cent increase in net income after taxes for the six-month period ending June 30, 1974, over 1973.

Mr. Germa: He probably is a shareholder.

Mr. Lewis: He probably is a shareholder.

Mr. Deans: Maybe he defends them in court. Or maybe he thinks that the Becker Milk Co. is entitled to a 46.9 per cent increase in net income after taxes for the year ending April 30, 1974, over 1973? Maybe he is convinced that Maple Leaf Mills deserves the 68.9 per cent that it now has as an increase for the six-month period ending June, 1974, over a similar period in 1973. Maybe he would like to go on to the hustings and defend the M. Loeb Co.'s returns for the 13 weeks ending April 27, 1974, over 1973—a 51.6 per cent increase.

Mr. Lewis: And it's higher in Picton.

Mr. Deans: I'm always interested in having learned interjections from the member for Prince Edward-Lennox. If he's defending those things then let him go into the hustings and tell the people of Ontario that that's the kind of government and those are the kinds of actions that he thinks are protecting the consumers of the province against unfair pricing tactics. Maybe he would like to comment on the practices of a number of these major food stores.

Hon. Mr. Kerr: Is the member going to go on for the rest of the evening? The member for Dovercourt wants to get up.

Mr. Deans: Yes.

Hon. Mr. Kerr: Oh, the pig.

Mr. Lewis: They have nothing else to do in this present Legislature. We might as well have the New Democrats stay around and speak to them.

Mr. Deans: Maybe the member for Prince Edward-Lennox would like to comment on this, since he doesn't seem to think that these profit increases that I've been mentioning—just a few selected at random—are unfair.

Mr. J. A. Taylor: We haven't had a chance to comment on what the member has said. He won't listen to any answers. He doesn't want to know what the truth is.

Mr. Deans: I'll listen when that member has his chance.

Let me read to you a letter. This is the company that the member for Prince Edward-Lennox is defending in this House and saying that they're treating the public fairly. I wrote to the Minister of Consumer and Corporate Affairs in Ottawa, the Hon. André Ouellet. I wrote him as follows:

> Dear Mr. Minister:
>
> It has become virtually impossible to determine what constitutes fair marketing, good business practice or misleading advertising. I nevertheless bring to your attention the matter which falls within one, if not all three, of the above. I want at the outset to make it clear that the complaint is directed against Dominion Stores.

Mr. J. A. Taylor: Is the member defending them today?

Mr. Deans: It goes on:

> A check of the stores in the Hamilton area reveals that what I am about to say applies to more than one.

Interjection by an hon. member.

Mr. J. A. Taylor: I'm not defending anybody.

Mr. Deans: It continues:

> The suggested list price of a 35 oz box of Sunlight dishwash detergent—

I'm going to talk about just one single item, but it shows the kind of thing that goes on within the major food chains and it shows just how much they're prepared to do to try and protect the consumer.

Mr. J. A. Taylor: I'm not trying to defend anybody. I am only asking the member to explain what has happened to the share prices.

Mr. Deans: To continue:

> The suggested list price of a 35 oz box of Sunlight dishwash detergent (which I might add, is lemon fresh) is 83 cents. The 50 oz package of the same detergent, lemon and all, carries on the face of it, in letters at least one inch high, "42 per

cent more free—50 oz for the price of 35 oz." I enclose the cash register tape showing the prices charged for both boxes purchased at the same time. You will note that the price on the 35 oz box is 81 cents and the price on the 50 oz box is $1.07. This hardly reflects "42 per cent more free."

When this lettering was brought to the attention of the store manager he pointed out the new price of the 35 oz box would be $1.07. This is hardly a satisfactory explanation, and even if it were the case an investigation of a price increase from 81 cents to $1.07 is warranted.

I firmly believe that the public of this country is being cheated and abused by the major food retailers, and I ask that action be taken by you, as Minister of Consumer and Corporate Affairs, backed up by a firm policy position on the part of the Province of Ontario, which will guarantee protection for the consumers of this province and, hopefully, for the entire country.

What I was complaining about was that in spite of what appeared on the face of the commodity; and in spite of the claims of the company and its manufacturer that you were able to obtain a percentage more at no additional cost, the store—or the chain of stores—decided that it would sell the product at the price plus the incremental increase that takes into account the additional product available.

I suggest to you, Mr. Speaker, that that's part of the reason why, when we talk about the profit margins, they are so high. Without exception—not without exception but invariably—you'll find as you go around the stores that the prices of products are changed without any consideration for additional costs, without any consideration for whether the stock had been there for a period of time and without any consideration for what the product was worth at the time of purchase. Just whatever the traffic will bear is what the major supermarket will charge for the products of the commodities or the foodstuffs they are selling to the public.

I think that if the federal government in Ottawa are not prepared to act—and I can only come to the conclusion, since I wrote the letter on Aug. 21, and have had no communication since Aug. 29, that they are not actively pursuing the matter—then it is time that the Province of Ontario took up the cudgel on behalf of the consumers of Ontario and brought in a code that will protect the Ontario consumers against unconscionable price increases, and unjustified price increases. That's really all that we say.

Nobody expects a corporation can operate without a reasonable rate of return, and no one expects that they will be selling products at less than they paid for them. No one expects they will be able to purchase today at prices of 10 and 15 years ago. But people do expect, as price increases take place, they will somehow or other be justified, they will somehow or other bear up under close scrutiny and will reflect additional costs, either of producing or purchasing or marketing the product that is on the shelf.

I don't understand the reluctance of this government to move towards protecting the consumer, through the Minister of Consumer and Commercial Affairs, or the reluctance of this government to take some steps to protect the consuming public of Ontario, given that in two reports tabled in this House on the profitability of the food industry in Ontario it was reported without a moment's hesitation that the rate of return in the food industry was at a level which did not justify further increases.

Given that statement and given that that was supposedly an impartial study done for the ministry and tabled before the members, there is surely then a responsibility on the part of the government of the Province of Ontario to take action to ensure that the recommendations contained in the study that they commissioned are brought about, are put into action and are enforced to protect the consuming public of the province.

You can read with or without interest any number of articles written about the rising food costs, Mr. Speaker. I want to quote to you from one that appeared in Maclean's in April, 1974, and which I think is worth talking about for just a few moments. It begins with a little poem, it's not a very good poem, but it probably bears repeating simply because it is accurate. It says:

Old Mother Hubbard
Went to the cupboard,
To fetch her dog some bread;
The bread was so dear
She fought back a tear
And ate it herself instead.

I think that that does, in fact, reflect some kind of the sense of frustration that people feel.

Let me quote to you, Mr. Speaker, from this article in Maclean's entitled, "Guide to the Food Price Crisis," written by Walter Stewart.

In all the welter of statistics, warnings, predictions, graphs and tables released in the recent months on the vexed question of rising food costs, one fact rings out like a tolling knell of doom.

Canada produced about one billion pounds less milk last year than we did in 1969. Milk, the perfect food, is becoming a rarer and rarer commodity. There are more of us and less of it. While experts foregather, politicians thunder and pressure groups push and shove for a position at the national trough, Canada's dairy herd winds slowly o'er the lee.

Between 1961 and 1971 we gained 3.3 million people and lost 480,000 dairy cattle. There are perfectly plausible explanations for this, and they have to do with increased feed grain prices, higher labour costs, foreign competition and the general "ah-to-hell-with-it" attitude that has finally spread from city to farm.

But whatever the explanations, they are not good enough. A nation that so orders its priorities that it faces a glut of TV dinners and a shortage of milk is a nation whose approach can only be described as organized insanity.

The articles on the following pages attempt to bring some order out of chaos by examining the way in which food is raised, marketed and used in this country. First, we break down the price structure of a dinner to find out how the proceeds are shared between farmer, processor and retailer. Next we meet Eugene Whelan, Canada's Minister of Agriculture, an embattled exponent of reform. Then we look at the way one supermarket giant operates to see what retail competition really means to consumers. Finally, we examine the way that Canadians, one of the world's most fortunate people in abundance of nourishing foods available, actually make use of their abundance.

There are a number of surprises in store for anyone who looks closely into the food industry. For example, Walter Stewart's article on Canada Safeway Ltd. suggests that supermarket giants are running up our grocery bill, not because of any excess profit they make, but because of market methods they use to lure us into the stores.

This feature should be seen from the vantage point of a few rough statistics. Food prices in Canada rose by 17 per cent in 1973 and will probably rise by another 9.9 per cent this year. [He was overly optimistic; they rose by more.] Food prices have caught up to general wage gains; and the proportion of disposable income Canadians spend on food, after declining for a number of years to about 18 per cent, will rise in the next two years to 20 or 21 per cent. Although Canadians are better off than most nations, these sharp increases threaten us all, and particularly those on low and fixed incomes.

There have, however, been some beneficiaries. Farm incomes have risen from disastrously low levels to more reasonable ones. Wholesale prices of farm products, which dropped despite increasing costs to the farmer during the 1970 and 1971 period rose a whopping 23.4 per cent in the period January to July, 1973—enough to cover the rising costs (11.6 per cent) and more.

Farmers have improved a poor position. Processors and retailers who were already doing very well (food manufacturers, for example, made 10.8 per cent on every dollar invested in 1970, and retailers made 11 per cent) are for the most part making handsome profits. Average corporate profits rose 34 per cent in the first half of 1973 while the food processing companies were up 56 per cent in the same period over 1972.

What all this suggests is that there are groups in the economy that stand to gain from jumps in food costs and that whatever public hand-wringing takes place before Beryl Plumptre's Food Prices Review Board, the pressure from these groups has not eased. What is needed is some cohesive policy to restore equilibrium to Canada's $10-billion food industry and make it more responsive to public needs and budgets.

He goes on to talk about—and I am going to quote it—a number of foodstuffs which, I suppose, could be considered to make up a dinner.

Anatomy of a Dinner

In a time of rapidly rising food prices most of us are convinced that someone out there is making extraordinary profits at the consumers' expense. Some blame the farmers, others the supermarkets, and still others the middlemen—the wholesalers and the processors. Maclean's has tried to settle the question by examining the cost and profit behind the kind of meal you might be putting on your family's table these days.

In the complex food industry it is very difficult to obtain reliable cost and profit figures. Individual variables can be so im-

portant. An efficient farmer might be able to turn a profit when a not so efficient farmer can't. Some commodities are sold in two ways—by spot purchase or by contract—making it difficult to determine average prices from one week to the next. Growing seasons vary across the country as to freight charges and distribution costs. Retailers' prices are subject to the vagaries of supply and demand and to changing market strategies. Profits can turn into losses quickly, quicker than the bat of an eye. Despite these difficulties, with the help of some advisers in the food industry, Maclean's have prepared from the most reliable information possible the costs and profits involved in a typical meal, served to a family of four.

The family ate—and we are going to deal with these things, Mr. Speaker—peas, milk, ice cream, butter, potatoes, tomato juice and chicken. I know you are interested in all of these things; I have seen you eat them myself.

The family ate 1 lb of peas which cost 43 cents in the supermarket. It cost the farmer four cents to produce them and he made a profit of two cents when he sold them to the processor for six cents. The processor's costs were six cents for the peas and 15 cents to handle them; he made a profit of seven cents when he sold them to the retailer for 28 cents. It cost the retailer five cents to merchandise the peas, bringing his total cost to 33 cents. He made a profit of 10 cents. The profit: The farmer, two cents, the processor, seven cents, and the retailer, 10 cents.

Milk: It cost the farmer 19.5 cents to produce 1 qt of milk; he made a profit of three cents when he sold it to the processor for 22.5 cents. The processor's costs were 22.5 cents for the raw milk, plus five cents for making it drinkable; he made a profit of two cents when he passed it on to the supermarket for 29.5 cents. The retailer's costs were 29.5 cents for the milk, plus five cents to handle it, for a total of 34.5 cents. He lost 3.5 cents when he sold it to the family for 31 cents. Profit: Farmer, three cents; processor, two cents; retailer, loss 3.5 cents.

Ice cream: The dessert was one pint of chocolate ice cream made from 6 oz of industrial milk. The farmer's costs for producing the milk were 1.6 cents, and he made a profit of 0.2 cents when he sold it to the processor for 1.8 cents. It cost the processor 25.2 cents to turn the milk, with several other ingredients, into ice cream and he made a profit of three cents when he sold it to the supermarket for 30 cents. The retailer's costs were 30 cents for the ice cream and 6.7 cents to sell it; he sold it for 49 cents, making a profit of 12.3 cents. The profit: Farmer, 0.2 cents; processor, three cents; retailer 12.3 cents.

Butter: It cost the farmer 7.4 cents to produce the milk for 2 oz of butter, and he made a profit of 0.6 cents when he sold it to the dairy for eight cents. It cost the dairy eight cents for the farmer's product, 0.5 cents to turn the milk into butter; the dairy made 0.6 cents profit on the butter, which it sold to the supermarket for 9.1 cents. The retailer's costs were 9.1 cents for the butter, 1.6 cents to sell it, for a total of 10.7 cents. The retailer lost 0.7 of a cent when he sold the butter to the family for 10 cents. The profit: Farmer, 0.6 cents; processor, 0.6 cents; and the retailer again lost 0.7 cents.

Potatoes: Two pounds of potatoes were used per meal at a total cost to the family of 16.6 cents. It cost the farmer four cents to grow them; he made a profit of two cents when he sold them to the processor for six cents. The processor paid his six cents, it cost him three cents to package the potatoes and he made a profit of two cents when he sold them to the retailer for 11 cents. The retailer paid 11 cents, it cost him 3.4 cents to sell the potatoes, bringing his total cost to 14.4 cents. He made a profit of 2.2 cents when he sold them for 16.6 cents. Profit: Farmer, two cents; processor, two cents; retailer, 2.2 cents.

Tomato juice—

Interjection by an hon. member.

Mr. D. M. Deacon (York Centre): Does the member know the figures?

Mr. Deans: I have only two more.

Totomato juice: The farmer's cost for raising tomatoes for 4 oz of juice each was 4.8 cents; he made a profit of 1.6 cents when he sold them to the processor at 6.4 cents. The processor's cost in addition to the 6.4 cents was 1.6 cents, and he took a profit of two cents, putting the total up to 10 cents. The retailer paid that 10 cents, added 8.9 cents for merchandising costs and he took a profit of 0.8 cents for a grand total of 19.7 cents. Profit: Farmer, 1.6 cents; processor, two cents; retailer, 0.8 cents.

And finally, chicken. I have to try to make it out; it's a little blurry.

The cost for the chicken was $2.07. The farmer's cost for raising the chicken was 87 cents and he made a profit of 15 cents when he sold it to the processor for $1.02. The

processor paid the $1.02, it cost him 60 cents for cleaning and packaging and he made a profit of nine cents when he sold it to the retailer for $1.71. The retailer's cost was $1.71 for the chicken, it cost him 30 cents to merchandise it and he sold it at a profit of six cents, bringing the price at the end to $2.07 for the family. Profit: Farmer 15 cents, processor nine, retailer six cents.

The total cost of the meal was $3.76. It cost the farmers a total of $1.28 to produce the commodities and their share of the final profit was 24 cents. The processors' costs were $2.63 and they made a total profit of 26 cents. The costs were highest at the retail level, $3.49, and the profit was 27 cents, so it goes to show what kind of profit there is in the average meal.

Don't draw any conclusions, because at that point we stop, and let's take a look at what happens. People tend to draw conclusions about that and say that's not a very large profit margin. But let's take a look then at what it costs to buy commodities here in Toronto over against what it costs to buy basically the same commodities in Niagara Falls, N.Y.

Cooking oil, 12 oz: in Niagara Falls, N.Y., it cost 69 cents and in Toronto it cost 93 cents. Why? Floor cleaner, 16 oz: in Niagara Falls 79 cents, in Toronto 95 cents. Why? Eggs, per dozen: in Niagara Falls 75 cents, in Toronto 74. Sugar—this is long before the price increase in sugar, by the way—but the price quoted at this time, sugar, 5 lb: $1.79 —ah, for the good old days—in Niagara Falls, $2.49 in Toronto.

Butter, 77 cents in Niagara Falls and 94 cents in Toronto. Skim milk, 35 cents in Niagara Falls, 39 cents in Toronto. Bacon, 1 lb: $1.29 in Niagara Falls, $1.59 in Toronto. Tea, 16 bags: 29 cents in Niagara Falls, 33 cents in Toronto. Instant coffee, 6 oz: $1.39 in Niagara Falls, $1.67 in Toronto. T-bone steak at 87 cents per lb—there's not too much of that around these days—$1.99 in Niagara Falls, $2.08 in Toronto. Bread, 16 oz: 44 cents in New York State, 51 cents in Toronto, and on and on.

It goes down through a variety of different products, the total price being $18.48 for the total market basket in New York State, in Niagara Falls, and $22.88 for the same produce purchased in Metropolitan Toronto.

We have got to ask ourselves why these things occur. It can't be because of higher prices for help, because the price for labour in Niagara Falls, NY, is not unlike the price of labour in Toronto. It can't be because the commodities cost that much more here, because the basic price paid in the US for foodstuffs at the wholesale and at the farm gate level is not unlike that paid in Canada for a similar product. It can't be because of volume buying and selling, because there couldn't be a larger volume purchase than that which takes place in Metropolitan Toronto, given the size of the market. It's much larger even than the market of Niagara Falls, NY.

So, what possible reason can there be for the housewife in Toronto to be paying $4.40 more than her counterpart in New York State, in Niagara Falls, NY? I think these are the kinds of questions that people have. When we start to talk about the cost of foodstuffs in the Province of Ontario, when we start to look into why it is that the consumer in Ontario is feeling the pinch, we come to the conclusion that somewhere somebody is taking advantage of the unwillingness of governments to insist on a reasonable level of price for essential foodstuffs.

I don't think Beryl Plumptre, notwithstanding whatever desire she might have, is going to be able to come to grips with the difficulties that are facing the majority of Ontarians. I think it requires some affirmative action on the part of the Minister of Consumer and Commercial Relations of the Province of Ontario (Mr. Clement).

It's interesting to note the reaction of the Minister of Consumer and Commercial Relations. One would expect that the minister would be speaking on behalf of the consumer. I've always found it very difficult to understand how any minister could serve two masters, but that is exactly what's expected of that particular minister in that particular portfolio. He's supposedly required by the laws of the province to protect the consumer on the one hand, while on the other hand he acts as the handmaiden of the corporate sector and looks after its interests. That's really not very practical.

What's required in this province, if the province is seriously going to challenge the retailing practices of the major food processors and, for that matter, of the major sellers in the Province of Ontario, is a minister whose only responsibility is the protection of consumers in this province. There has to be a separation of power that may require a minister to look after the affairs of corporations. But certainly the consumers, given the nature of the way in which they've been used over the last number of years, require someone to whom they can turn when they're seeking some assistance against unfair business practices or unfair price increases or, for that

matter, when they're seeking some guidance about the fairness of the way in which the marketplace operates.

Let me suggest to you, Mr. Speaker, that there are a sufficient number of ministers of the government looking after the affairs of business. The Ministry of Industry and Tourism looks after the affairs of business. The Treasurer (Mr. White) looks after the affairs of business. The Minister of Revenue (Mr. Meen) looks after the affairs of business. Any number of other ministers are oriented more toward business matters than they are toward protecting consumers.

It would make some sense if we were to separate the responsibilities of the Minister of Consumer and Commercial Relations, and if we were to charge that minister and that ministry with the sole responsibility of ensuring that price increases and business practices fall within whatever guidelines the Province of Ontario wants to establish as being fair and equitable treatment for its consumers.

It makes sense, for example, that the minister should be in a position to challenge the recently announced increases in fire insurance premiums. But he can't, because he's part of the whole structure that sets the rates. His own ministry is oriented toward protecting those who are charging rather than those who are being charged. He has to maintain a good and viable day-to-day relationship with the corporate world because it is more in his interest and in the interest of the government to have that than it is to protect he consumer against unfair costs.

It's so easy for the minister to say, "Well, it doesn't fall within our responsibility. If you want consumer protection it's more easily done in Ottawa." It's so easy for the ministers to say, "We can't really move in because one jurisdiction can't handle it by itself." But the fact of the matter is that since Ottawa seems reluctant and unwilling to proceed with any meaningful action, this jurisdiction has to be protected by the government that it elects. That requires that the government of Ontario set up some kind of consumer protection mechanism to ensure that the kind of profits and pricing practices I mentioned earlier are not allowed to continue.

According to our Minister of Consumer and Commercial Relations, profit increases are explained by increases in sales on the one hand and reductions in cost on the other. It is assumed that a given percentage increase in sales causes an identical percentage increase in profits. For example, when sales go up by 50 per cent, that explains the 50 per cent increase in profits. If sales increase by 75 per cent, that leaves only 25 per cent of the profit increase to be explained. That seems to be the minister's attitude.

To determine the effect of cost reductions—that's productivity increases over profit increases—it is assumed that in the absence of improvements in productivity costs would increase at the same percentage rate as sales. If costs increased at a lower rate than sales, the difference between what costs would have been had they increased at the same rate as sales and the actual cost is the dollar contribution of cost improvement to profit increases.

For example, comparing balance sheets in any two years, the contribution of sales to profit increase is percentage of increase in sales, times original profit. The contribution of cost to profit increase is the percentage increase in sales, minus percentage increase in cost, times original cost. If one were to pursue this all the way through the notes that I have, one would find that we come to a statement which says that because costs and profits are balance-sheet figures, their sum is equal to sales.

What happens in the Province of Ontario is that rather than the ministry investigating the costs; rather than the ministry accepting the responsibilities which are mandated to it; rather than the ministry even accepting the recommendations of the study group which it itself set up for the purpose of determining whether costs were rising more rapidly, or whether profits were rising unnecessarily, the ministry has taken the position of trying to hoodwink the public with statistics and figures, and not to involve itself—and this is the worst part—not to involve itself in any way in ensuring that there is not any unwarranted profit-taking in the province.

As I said earlier, given the statement of the minister's own inquiry into the food industry, one could have reasonably concluded that there would be a statement from this government at this time to say clearly and unequivocally that the profit margins in the Province of Ontario in the food industry were sufficient; that it was unjustified to expect any more; and that they would require of the various companies involved that they submit to the government their reasons for increasing prices to the consumer. Then, given in the overall they would do that, we might reasonably expect to see a levelling-out of the costs, other than in those areas—and they would be justified—where the costs were contributed to by such things as the recent sugar problem.

I want to suggest to you, Mr. Speaker, that the government in its budget dealt with any number of problems, but it didn't address itself to the major problem. It made a passing reference, and it can only be considered to be that, about the housing crisis. It took tiny, hesitant steps. It made no reference at all to the crisis which is developing in the production and allocation and distribution of food. It tended to slough off its responsibility to the federal government.

It said—and there is no question from me about the validity of the statement—that it would be infinitely easier to manage those things at a federal level. But given the unwillingness of the federal government to act, this government had a responsibility to act and it continues to use the old ploy of trying to lay the blame in another jurisdiction.

Now that has got to come to an end some day. Some day the government will be held accountable for its actions. Some day it will be required to justify its existence. Some day someone in the Province of Ontario is going to ask the Ontario government: "What have you done for four years? What have you done on behalf of the consumers of Ontario to ensure that the basic commodities are available to all people at a price that they can afford?"

I wondered a bit about what the government has done in the last four years. I've given some thought to it. I've tried to come up with some answers on what I thought the government had done, and I must confess that I was having more than a little difficulty in finding anything of any substance.

I thought back over the four years. I can remember well, raising a variety of the same kinds of things that I raised here in the last couple of days. During that period I can remember talking about housing costs, talking about apartment rents, talking about food costs, discussing profit margins, and pointing out the extravagances which seem to exist in certain sectors of the economy.

I wondered a bit about the last four years, because to some extent what has to be done has to be done over a longer period of time than just one budget. Each budget should simply be building on the accomplishments of the last budget. What the government does this year should be in addition to the things that it did last year which should be adding on, in a positive way, to the things that occurred in the previous years, so that we are developing a better place—so that we are developing in Ontario the kind of economic environment and physical environment that gives people hope for the future.

I looked at the Bill Davis years from 1971 because I thought that that was probably the era that was fairest to look at in determining what this budget did—whether it was, in fact, a reasonable budget; whether the budget made sense; whether it was another step along the way toward economic stability, toward ensuring a reasonable lifestyle, toward a guarantee for young people coming into the work force and toward a guarantee for the elderly of security. I thought back about it.

Let me tell the members the things that stand out in my mind in the Bill Davis years and I know they'll be interested. I went back to 1971 and I thought of the energy tax. I thought about the government's aborted effort to impose a tax on energy, on hydro, on fuel costs. I thought about the statements of the Treasurer as he told people to simply wear a sweater if they feel cold, and then I thought of the government's finally withdrawing that tax because it recognized that it was unpalatable. That, by the way, was the cornerstone of that year's budget.

I thought some more and there came to mind a number of points—I won't go into them all. I thought of the Fidinam affair and I wondered what kind of impact that had on the government's thinking. I thought of cabinet ministers who were exposed as having been in land deals over a period of time and of how they went and then returned, at least in one instance.

I thought of regional government and of how it was imposed, how there have been no checks and no balances and no interest shown by the government in the costs of regional government over the province and how the people are suffering as a result of it—at least suffering economically, because the costs are rising and there is little, if any, benefit being shown for it.

I thought of the WCB inquiry and how we had to inquire into the Workmen's Compensation Board trying to find out what in heaven's name was wrong with it, how it finally evolved and changes took place and how it's not a damn bit better today than it was when we started.

I thought of the Hydro inquiry—and I sat on both. I thought of the Hydro inquiry and that very nice glass building that sits diagonally across the corner from this building, and I thought of all of the time and effort that was required by members of the Legislature at the expense of the public in investigating that particular operation. That came to mind.

I thought about the aged. I thought of all the old people who gathered on the steps of the Legislature since 1971, who stood in the cold and begged for a reasonable standard of living, and who said to the Premier: "Surely, for heaven's sake, we contributed significantly to the growth of the province, surely we're entitled to some kind of economic stability, surely we're entitled to a life of some reason."

I thought about the teachers of the province. Who would ever have believed that the teachers of the province would gather in front of the Legislature to protest an action of the Davis government?

I thought of hospital workers and how they were forced right to the wall—to the point of almost being on strike, in some instances even being on strike illegally—in order to raise their income levels to a point that wouldn't even qualify them for the HOME programme; to a point which, even with the new wage rates, was well below the average income of the Province of Ontario.

I thought of the civil servants of the province and how they are being forced to the wall by the Chairman of Management Board of Cabinet and his colleagues in their negotiations, and how the negotiations have been conducted in such bad faith.

Then I thought of the housing scandals, the land deals and the things that we have spoken about; about the government's capacity to pay twice what land is worth and to be implicated directly in forcing up housing costs in the Province of Ontario.

I looked at the destruction by the Provincial Secretary for Social Development (Mrs. Birch) of the confidence of all of the people involved in day care in the Province of Ontario by some ill-timed, ill-thought-out statements.

I thought to myself that just can't be the government of Ontario.

I looked at the statements that came out in recent weeks about the mercury proliferation and how we hadn't even yet begun to come to grips with the problems of mercury pollution in much of the northern part of the Province of Ontario. In spite of what appeared on the surface to be an effort by the government there was very little by way of actual change to show any progress in the field.

I thought about the workers in Elliot Lake and how they feel going into a mine, knowing full well that every time they go down that shaft they shorten their lives.

I thought about the Davis years a lot, because I had to decide if this budget really was building on the 1973 and 1972 and 1971 budget; if this was a step forward and if it was showing any signs of progress.

Then I realized that during that period I'd seen housing prices double. We saw the cornerstone of another budget, the land transfer tax, called into question and then finally changed to such an extent that it is almost unrecognizable. We saw the capacity of physicians to prescribe for their patients, particularly for the aged, called into question by the government; and we saw four cabinet ministers lose by-elections.

It is very difficult to look at these things —and there are many others—and to have any confidence in the government's capacity to do what must be done on behalf of the people of the Province of Ontario. We don't have a quorum.

Mr. Speaker: Will the Clerk take the quorum count?

Clerk of the House: We don't have a quorum.

Mr. Speaker ordered that the bells be rung for four minutes.

Mr. Speaker: The Clerk reports a quorum; the member for Wentworth may proceed.

Mr. Deans: Thank you.

Mr. O. F. Villeneuve (Glengarry): Very important speech.

Mr. Deans: It's not important at all; but we have to keep a quorum. It's not that I expect the members opposite to listen—it's just simply that that is a requirement of the House.

Mr. Kennedy: Don't worry. We are counting.

Mr. Deans: No, it is not up to us to keep the quorum. The members opposite are the people who get defeated; not us.

Mr. Kennedy: It depends on who is speaking.

Mr. Deans: Well, I don't care. How difficult it is doesn't worry me, as long as the member does his job well.

Mr. Kennedy: Oh I know; I know.

Mr. Henderson: The member for Essex-Kent is not listening.

Mr. Deans: Anyway, I want to go on. I want to go on, because I thought some more

about the Premier's years since I sat down; and there were two other matters that came to my mind.

I can remember quite distinctly in the year 1968, Mr. Speaker, raising in this House the problems that were being encountered by many people in the Niagara Peninsula. I predicted something; and I predict it again, because it is all part of the whole programme of development in the area.

There hasn't yet been a statement by this government of the way in which it intends to ensure that the productive lands of the peninsula will be kept in production. Everyone pays lip service to the fact that the area of the Niagara Peninsula is unique; that it has a potential for growth that is really not shared anywhere else, not to the same extent. And that, given that uniqueness, it would make sense that we should do everything in our power to protect it against urban encroachment.

We should do everything that we can to ensure that it is kept in production, and not allow it to disappear under the asphalt of parking lots and highways.

I think a great many people have expressed the concerns I have expresesd about the diminishing farmlands. And further, statements have been made to try to counteract them; to counteract the expressions of concern.

Many would claim—and I'm sure you have heard the claims made, Mr. Speaker—that because of modern technology and new methods of farming, we can grow more and more per acre than we have ever been able to grow before. But I hasten to warn—and I think it goes without saying—that even that will come to an end at some point. We can't expect, as the years go by, to forever develop more and more technology, and that more and more produce will sprout from less and less land.

I think there is a responsibility on the part of this government, given what can happen, to make a clear and definitive statement about the concern for the Niagara fruit belt. I think it is time that the government made known to everyone that it is in the business of ensuring that that fruit belt be kept in production, not just for next year or the year after, but for many years to come. The consequences of not maintaining the fruitbelt in producion are dire, as I see it. At a time when food costs are rising, it's necessary for us to be as self-sufficient as is humanly possible. We can't allow ourselves to be at the mercy of the foreign grower and the exporter-importer in Ontario.

Mr. Henderson: The member for Essex-Kent is not listening.

Mr. Deans: Well, actually he agrees with me, so it's okay.

Mr. Villeneuve: He agrees but that costs more money.

Mr. Deans: There is no way we can afford to allow the fruit industry in the peninsula to become reliant on imports from the United States. There is no way we can take a chance on somehow being able to negotiate in years to come a fair price to be paid by Canadian consumers for products grown and sold in the United States. The only thing we have going for us in that regard, in terms of safeguarding the fruitbelt and safeguarding future consumers' dollars, is our ability to grow what we are capable of growing and to maintain in production the land which is currently growing it. It's obviously much simpler to maintain land in production than it is to attempt to reclaim it at some future date and to put it back into production.

The cost of maintaining it in production will be high. There is no question about that. Nobody denies it. The cost of maintaining it in production today is high because of the urban growth around it and the pressure on the farms. I understand that.

Mr. Villeneuve: Right. What's the hon. member's answer? The 40-hour week?

Mr. Deans: But the cost of not maintaining it will be significantly higher—and that's where we have got a problem. We have to weigh the additional cost—

Mr. R. G. Hodgson (Victoria-Haliburton): What does the hon. member suggest? Does he suggest an embargo on vegetables?

Mr. Deans: I am talking about fruit at this point.

Mr. R. G. Hodgson: Does the hon. member suggest an embargo on vegetables?

Mr. Deans: I don't know what the hon. member is saying. I can't hear him.

Mr. R. G. Hodgson: Is the hon. member suggesting an embargo on vegetables?

Mr. Deans: No, no. I am coming to that. That isn't so much the problem because the fruit that is imported is basically fruit that comes in much earlier in the season than the

fruit that is produced domestically. The problem we have is that there is no protection against the importation of fruit from outside of the country. Although the responsibility may be federal in terms of negotiating an agreement between the two countries, there is a responsibility on behalf of the provincial government to have a clearly defined statement of policy to put before the federal government.

If the provincial government stated clearly and unquestionably that it was prepared to take whatever steps were necessary to ensure that the productive capacity of the peninsula is maintained and that we, the people of Ontario, were not going to be in a position at some point in our lives of having to pay considerably more for imported products than we would have had to pay had we continued to grow it, then and only then would the government have a justifiable reason for claiming that it was Ottawa that wasn't holding up its share or doing the proper things.

I want to suggest to you, Mr. Speaker, that it's not going to be very easy. The development pressure in the peninsula area is immense, and people whose only concern is making money are quite willing to destroy the fruitlands right before our eyes, simply to make another dollar from another development. But let me say to you, sir, that there is sufficient land available for urban development, for housing and for industrial development that we need not take the best growing land out of production.

In fact, not only need we not take it out of production but we have an obligation to maintain it in production. Where else in the world would a country allow such valuable land to be destroyed? Where else in the world would a jurisdiction with such tremendous potential for self-sufficiency allow it to go by the board?

I am not pretending for one single moment that it would be easy or not costly. I am not pretending for a moment that we won't have to set out fairly substantial sums of money, but I am telling you now that in the interests of the growth of future generations —in the interests of protecting them, if not us—there is an obligation to take steps today to enter into agreements, options to purchase, if need be, arrangements with the most valuable lands' owners, to ensure that we don't lose it over the course of time, simply by neglect if not by will. I don't understand that attitude.

When I travelled in Germany and up the Rhine, I can remember looking at them growing grapes. The Minister of the Environment (Mr. W. Newman) was there. They grew them on every tiny little patch of ground, places that here you would have discarded as being useless places—am I right? Here we have soil and climate that is the best in the country—the best in this part of the country, in any event—and for some reason or other we can't seem to see the need to maintain it. When I was elected in 1967, on a Sunday I could drive down through the peninsula in my own riding and there was farm after farm in production. I want to tell you now, Mr. Speaker, that that same drive today yields me not nearly the same satisfaction, and certainly I am unable to see the same number of productive farms.

As I said—I don't know if the minister was here—I appreciate the arguments about the capacity, due to technology, to grow more and more on less and less, but even that comes to an end. There's a saturation point beyond which you can't go.

So I suppose I am making an appeal, maybe for the last time—who knows?—to the government—

Hon. W. Newman (Minister of the Environment): That may be, but not that way.

Mr. Deans: Well, I understand that. It may be that there won't be anything to appeal for —that's the whole problem. So many options are taken and so much land is being used up and taken out of production that even the most articulate, even the most concerned in the fruit-growing industry don't seem to appreciate that the discussion we are having isn't about today. The discussion we are having is about 10 years from now, 15 years from now, when we will be buying all of the things we were capable of growing at whatever the traffic will bear, whatever the seller wants, and that seller will invariably be from outside of the Province of Ontario and very likely from outside of the country.

Let's not make the same mistake with the fruit industry that we made with the sugar beet industry. I am not pretending that I have been far-sighted enough to be able to say that the sugar beet industry was a necessity. I couldn't tell that we were going to be held to ransom by the sugar-growing nations of the world, but we should be able to learn a lesson from it. We should be able to look at that and say: "By God, there's a mistake we won't make again." And then we should be looking at our productive capacity, our capacity for self-sufficiency, and we should be taking whatever steps are necessary to ensure the maintenance of that capacity for the next generation.

It's not good enough to do just enough to get you past the next election, Mr. Speaker. It's not good enough to do just enough to get you through to 1980 or to 1985 or to 1990. We have to address ourselves to the problems which will confront children who are at this point still in school, and their children, and where they'll go. It's not good enough to sit back, as was done in the case of housing, and just simply say: "God, I hope it stops pretty soon." It's not good enough to sit back, as has been done in so many different areas, and hope that somehow or other some kind of pressure will come to bear and things will correct themselves.

When one recognizes there is a potential for disaster in a particular area which is of extreme significance to the economy of the province and to the self-sufficiency of the province, then the obligation of a government is surely to take steps to devise a programme, and to move carefully albeit, but progressively towards ensuring the continuation of that industry.

In this case I talk about the fruit-growing potential of the Niagara Peninsula, recognizing that there are some other areas in the province with a potential of their own, but also recognizing that we have the capacity here to grow sufficient, not only to meet the needs of Ontario but we've got a capacity here to grow sufficient to meet the needs of the rest of the country and an obligation to protect it.

Just as we may on this day in 1974 be a bit concerned about our lack of oil and worried about the fact that it's out in Alberta, or a little bit in Saskatchewan; some day they will be worried about their lack of fruit and the fact that it's here in Ontario or it's not here in Ontario. It's because of all of the indicators that I raise that matter as a legitimate concern and one that I've had for a considerable period of time.

Mr. Speaker, I do have one other matter and I think I'll leave it until Thursday, if you would permit me. It looks very much to me as if it's just about 10:30. If the Speaker would permit me, I would like to move the adjournment of the debate, since it's almost 10:30.

Mr. Deans moves the adjournment of the debate.

Motion agreed to.

Hon. W. Newman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m.

Prayers.

Hon. M. Birch (Provincial Secretary of Social Development): Mr. Speaker, it is my pleasure to introduce to you, and through you to the members of this House, 160 grade 9 students from Sir Wilfrid Laurier Collegiate Institute in Scarborough. Would you join with me in welcoming them, please?

Hon. E. A. Winkler (Chairman of Management Board): Mr. Speaker, we have a visitor with us under the gallery today in the person of Mr. Edward Minta, who is deputy minister of the Civil Service Commission in Ghana. He is doing a study of government machinery of different countries in the world.

Mr. R. F. Nixon (Leader of the Opposition): He has come to the wrong place.

Mr. E. W. Martel (Sudbury East): "The big blue machine," eh?

Hon. Mr. Winkler: He has been to Sweden and Great Britain. He's also been in Ottawa and he's come to look at the ideal.

Mr. S. Lewis (Scarborough West): Let me tell the hon. minister, having tried both, Ghana is better.

Hon. Mr. Winkler: He'll be with us for a few days, and I'm sure that all members of the House would want to greet him.

Mr. R. F. Nixon: Maybe he could give the hon. minister a little advice on public employees.

Mr. Martel: What colour of machinery was the minister talking about?

Mr. Speaker: Statements by the ministry.

COST OF LIVING PAYMENTS TO GOVERNMENT EMPLOYEES

Hon. Mr. Winkler: Mr. Speaker, I am pleased to inform the members that in keeping with the policy established earlier in the year, the government has advised the Civil Service Association that in recognition of the unusually rapid increases in the cost of living it is prepared to revise the second-year increase previously negotiated for the general services category.

Instead of the seven per cent increase which had been negotiated and accepted by these employees, the government believes a 12 per cent increase would be more appropriate. The revised increases will be implemented if and when the CSAO agrees to amend the current agreement and the increases would be effective from Jan. 1, 1975. In the meantime, the seven per cent previously negotiated will be implemented as scheduled.

It might also be noted, Mr. Speaker, that the current agreement with this category is subject to negotiation beginning in the month of September, 1975, at which time the salaries for all these classes will be open to full review with the bargaining agent.

The members will recall that similar adjustments were made earlier for employees in other categories whose contracts still had some months to run. This means, Mr. Speaker, the government has now honoured its commitment to review the second-year increases in all two-year contracts which had been negotiated before the beginning of the year.

Mr. Speaker: The Minister of Health.

CONCEPTION CONTROL AND FAMILY PLANNING

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I wish to announce important action we shall be taking, in conjunction with other ministries in the social development policy field, for the provision of conception control and family planning services.

Mr. Martel: Oh, hear, hear!

Hon. Mr. Miller: Before doing so, I would like to review briefly the main reasons why this has to be recognized as a pressing need.

First is the fact that sexual activity is occurring at earlier ages than previously, and, to a larger extent, without the formation of long-term relationships. In our society this

increased sexual freedom makes the need for the exercise of individual responsibility a matter of public concern, as well as of concern to the individuals. The provision of conception control and family planning services is perceived as a means of promoting more responsible individual behaviour.

This is primarily a social concern, but there are specific implications affecting health care. One of these is the rapid rate at which therapeutic abortions are increasing. I will not speculate as to what proportion of these are unplanned pregnancies, or consider the question of the associated health care costs. The point I am making is that a potential health risk is incurred each time this procedure is undertaken.

There is also a major socio-economic aspect to the situation. We do not live in a land in which the population growth poses an immediate problem, but links can clearly be identified between high fertility and poverty, with its associated social ills. Consideration for the dignity and overall well-being of the people of Ontario points to the conclusion that a complete understanding of birth control should be made available to all.

It is for these reasons, Mr. Speaker, that it is felt necessary to establish a comprehensive programme designed to provide information, education and services readily available and easily accessible to individuals who wish assistance in conception control and family planning.

For this purpose, the Ministry of Health has been given prime responsibility for the programme and will be assisted by an interministerial committee on family planning. This will be chaired by a representative from the Ministry of Health. Its membership will represent the Ministry of Community and Social Services, the Ministry of Education, the Ministry of Colleges and Universities and the Youth Secretariat. No doubt other ministries, and perhaps outside agencies, will play a part in its functioning. By this broad representation, effective co-ordination to ensure adequate province-wide services will be possible, duplications in funding and services can be eliminated and all programmes can be properly monitored.

Local official health agencies will be made responsible for ensuring the provision of services in their own communities or areas. They can do so either directly or through agencies such as local hospitals, volunteer agencies and the like. Planning of services is to be done in consultation with the district health council, where one exists.

To avoid duplication of funding the Ministry of Health will act as the sole channel for all funds required for both clinical and counselling services. My ministry will also take responsibility for the preparation of guidelines to be met by those providing services and for preparing and launching a programme of public information.

This will be an ongoing service, Mr. Speaker. We plan to make an immediate start, but members can expect to see the programme coming into full-scale operation in the fiscal year 1975-1976—in other words, from April, 1975, onward.

Mr. Speaker: Oral questions.

TRAVEL INDUSTRY REGULATIONS

Mr. R. F. Nixon: Mr. Speaker, I'd like to put a question to the Minister of Consumer and Commercial Relations pertaining to the passage of the travel industry Act this week. Has he responded to telegrams, no doubt received by him or his ministry, expressing concern on behalf of the industry that they were inadequately consulted and that—according to them—the undertakings by the minister had not been fulfilled before the bill was given three readings? If he feels the industry has a legitimate complaint—and it appears that they have—is he prepared to ask that royal assent or proclamation be held up, pending some further discussions with the industry?

Hon. J. T. Clement (Minister of Consumer and Commercial Relations): Mr. Speaker, I am not aware of the particular telegram that I suspect the Leader of the Opposition is holding in his hand, but other members have spoken to me.

The travel association apparently sent out wires to travel operators and people in that type of business on Tuesday last, saying that the bill contained certain legislation dealing with bonding and this sort of thing and that they had had no consultation on that. That simply is not correct. We had many consultations with the industry over the past several months.

What they refer to will be contained in the regulations enacted under the Act. If the hon. member will refer back to, I believe one week ago today when I introduced the Act, I made express reference in that statement to the fact that before embarking on any field of regulations we would have further consultation with the industry. I have no reason to change that position, because it

was a position we thought was completely clear at that time. I made a statement to that effect here one week ago today. We will dialogue with the industry, we must dialogue with the industry. I submit that the telegram that went out on Tuesday from certain industry people to other members of the industry was quite incorrect.

Mr. R. F. Nixon: Supplementary: I wonder if the minister could clarify then, whether the minister or a representative of the ministry undertook with the industry that the bill would go to a committee through which industry spokesmen could express their views? Of course this did not take place, but was such an undertaking entered into?

Mr. T. P. Reid (Rainy River): Why the leak?

Hon. Mr. Clement: I can't assert or deny that here, but I can find out very quickly. I did not have that discussion with the industry. Most of the discussions with the industry were conducted between my parliamentary assistant and staff members over the past many months.

Mr. R. F. Nixon: That explains it.

Hon. Mr. Clement: I can assure this House that we met over the past many months with substantial numbers of people within the industry.

Mr. Speaker: The hon. member for Kitchener with a supplementary.

Mr. J. R. Breithaupt (Kitchener): Since the bill has passed from introduction here to being ready for proclamation within five days, would the minister not think it a better way to order the business of the House to have a bill like this available in its printed form for dissemination among industry representatives before we put it through within a matter of a couple of days? Does the minister not think that even though negotiations may have gone forward, the industry itself and members of it would not realize all the bill might contain until they actually had the benefit of seeing the bill as introduced in the House?

Hon. Mr. Clement: Mr. Speaker, the whole matter might well resolve itself, because at 4 o'clock today I am meeting with members of the industry—those who are responsible for the sending of that telegram, I understand—to clarify that misconception and certain other misconceptions which presently are in their minds.

Mr. E. R. Good (Waterloo North): Supplementary, Mr. Speaker.

Mr. Speaker: The hon. member for Waterloo North.

Mr. Good: In view of the great concern by the industry about the legislation and their lack of a provincial organization, would the minister endeavour to have either himself, his parliamentary assistant or some representative present at their meeting on Sunday so that there can be, for the first time, dialogue between his ministry and a broad representation of Ontario travel agencies, and not just people at Sun tours?

Mr. I. Deans (Wentworth): Will the minister guarantee it won't be his parliamentary assistant?

Hon. Mr. Clement: Mr. Speaker, to the best of my knowledge to the present time, I have not been invited to attend the meeting. I am aware that one is being held.

Mr. Good: Did the minister not get an invitation?

Hon. Mr. Clement: I had hoped that today, following further consultation with certain members of the travel industry at 4 o'clock, many of these questions which are foremost in their minds will be resolved.

Interjection by an hon. member.

Hon. Mr. Clement: I foresee no real difficulty. I suggest there has been some misconception as to the bill. I want to clarify that. I made a public statement, through the media and here in this House last week, that there must be further dialogue with the industry before any regulations are introduced.

Mr. A. J. Roy (Ottawa East): Why was the minister in such a hurry?

Mr. Speaker: Order please.

Hon. Mr. Clement: And I intend to honour that commitment.

Mr. Speaker: The Leader of the Opposition.

Mr. Reid: Supplementary.

Mr. Speaker: No, there have been three supplementaries from one party.

RESOURCE TAXATION

Mr. R. F. Nixon: I want to put a question to the Premier pertaining to the Ontario

mining tax, which has been before us as a bill now for some months.

Does he intend to go forward with the tax as described in the budget some months ago, and as before us in this bill, particularly since the outcome of the discussion between our Treasurer (Mr. White) and the Minister of Finance and the other Treasurers doesn't seem to have changed the federal position; or does he intend to leave it in abeyance until he gets an opportunity to meet with the other premiers and the Prime Minister to discuss it further?

Hon. W. G. Davis (Premier): Mr. Speaker, of course I think there is some difference between our bill and the discussions that went on between the Minister of Finance and the other provincial ministers. The main concern, as I understand the discussions, at least in Ottawa on Monday and Tuesday, related to the question of the deductibility of royalties as an expense.

I think it is fair to state that we are taking a different approach, in that the tax is on profits. This is why I think there is a distinction between the route we are going and the approach taken by one or two of our sister provinces.

I just can't say, Mr. Speaker. The Treasurer will be here later on, and I'm sure would be delighted to inform the hon. member and perhaps give him some impression of the discussions, although I think they were fairly evident in the press. But I do suggest there is a distinction between the approach that we are suggesting here and what was, I think, the main topic of discussion on the resource tax at the finance ministers meeting.

Mr. Speaker: Any further questions?

Mr. R. F. Nixon: Supplementary: The Premier is then not prepared to say that we will be proceeding with the bill before a Christmas adjournment?

Hon. Mr. Davis: It is possible we may.

Mr. Roy: Could I ask a supplementary?

Mr. R. F. Nixon: Sounds like a fair excuse.

Mr. Speaker: One supplementary.

Mr. Roy: To the Premier, Mr. Speaker: Have the Premier or the Treasurer received assurances from the federal Minister of Finance, that the scheme—or maybe I shouldn't call it a scheme because there is nothing insidious about it—but that this government's approach to taxation is acceptable to the federal government or the federal Minister of Finance?

Hon. Mr. Davis: Mr. Speaker, I can't but get the impression that the member for Ottawa East thinks we have to see whether any Ontario tax scheme meets with the approval of the federal Minister of Finance.

Mr. Roy: The Premier should; he should have done so—

Hon. Mr. Davis: Quite frankly, that is not constitutionally—

Mr. R. F. Nixon: He should have done it on the land speculation tax.

Mr. Speaker: Order please.

Hon. Mr. Davis: Well all right, if the members opposite want to debate the land speculation tax, we think in terms of law they are wrong.

Mr. Roy: Why doesn't this government take them to court?

Hon. Mr. Davis: And in terms of policy, without any question they are wrong.

Mr. Roy: Why doesn't the Premier take them to court?

Hon. Mr. Davis: If the federal government really wanted to come to grips with land speculation right across this country, they should have the intestinal fortitude to impose their own tax. Why does the member keep apologizing for them?

Interjections by hon. members.

Hon. Mr. Davis: The answer is I have had no communication from the federal Minister of Finance as it relates to our mining tax.

Mr. R. F. Nixon: At least this government is reducing its tax rate.

Mr. Speaker: Any further questions—the Leader of the Opposition.

Interjections by hon. members.

Mr. Speaker: Order please. The Leader of the Opposition has the floor.

LIQUOR LICENCES FOR OFFICE PARTIES

Mr. R. F. Nixon: Thank you, Mr. Speaker, if the Minister of Consumer and Commercial Relations can extricate himself from the friends of the travel agents who are sur-

rounding him, I would like to ask: What is going on down at the Liquor Licence Board that they have decided not to issue the special permits needed for the yuletide office parties? Is it the policy of the government, in fact, to make all these parties illegal happenings; or does the minister think they are simply not going to be held this year?

Hon. Mr. Clement: Mr. Speaker, I am sorry I hadn't heard the question in the first instance. I was consulting with my spiritual adviser.

Mr. R. F. Nixon: The minister needs a lot of them.

Mr. Roy: He needs all the help he can get.

Interjections by hon. members.

Hon. Mr. Clement: And he has some identification with spirits in this province too, I might add.

Mr. Breithaupt: Both in this world and in the next.

Mr. R. F. Nixon: That's like having your cake and eating it.

Hon. Mr. Clement: I can't say that anything improper is going on down at the Liquor Licence Board. It has never been the policy, as far as I am aware, of the board to license office parties by special occasion permit unless it is in a facility that can accommodate the kind of activity that the member contemplates.

Mr. R. F. Nixon: What type of facility would that be?

Hon. Mr. Clement: I don't know. It all depends on what the member contemplates in the nature of his question.

Interjections by hon. members.

Mr. J. E. Stokes (Thunder Bay): A two-hole privy.

Mr. Speaker: Order please; the minister is answering the question.

Mr. Breithaupt: Is this an all-purpose licence?

Hon. Mr. Clement: Offices per se are not licensed because they do not meet many of the criteria insofar as safety and fire regulations are concerned. They do not regulate them by issuing permits.

Mr. R. F. Nixon: Supplementary: There has been concern expressed publicly. We don't worry about this because our party was licensed, as the minister knows, by special permit because we have all the facilities. Is there some indication that the policy is different this year from last year? Probably that's the way to clear it up. If there is no change, I suppose these people are not going to be concerned.

Hon. Mr. Clement: No, I am not aware there is any change whatsoever, Mr. Speaker. It may be that parties have been held in the past in offices. These parties, of course, would not be permitted under the Act. It may be that some concern has been demonstrated by the host or proposed host of those parties and they have sought application to obtain a special occasion permit. But there has been no change in existing policy over a number of years insofar as office parties are concerned in office suites.

Mr. Stokes: Just a little tightening up.

Mr. M. Shulman (High Park): Supplementary.

Mr. Lewis: We are having a party tonight, to which the minister is not invited, and we are licensed.

Mr. Speaker: The member for High Park with a supplementary.

Interjections by hon. members.

Mr. Shulman: Can the minister explain why premises which were licensed last Christmas are being refused this Christmas?

Hon. Mr. Clement: Perhaps the hon. member could assist me by identifying the premises. I don't know of them all specifically. Is the member going to the party of the New Democratic Party tonight?

Mr. Stokes: He was invited.

Mr. Breithaupt: They won't let him in.

Interjections by hon. members.

Mr. Roy Supplementary.

Mr. Speaker: Final supplementary.

Hon. Mr. Clement: The member for Scarborough West should have invited me.

Interjections by hon. members.

Mr. Lewis: As a matter of fact, we check them at the door.

Mr. Speaker: Order please. The member for Ottawa East with a final supplementary.

Mr. Roy: Can the minister explain the distinction made by the chairman of the board who said that the cafeteria here at Queen's Park apparently is a place that is—

Mr. Speaker: Order please. That is outside the original; that could be a new question.

Mr. Roy: No. I want to ask a supplementary. It's within the area, it is; it's a policy of—

Mr. Speaker: No, it has nothing to do with the original question. The member may ask it later if he wishes.

Mr. Roy: I won't get a chance; you know that.

Mr. Speaker: Has the Leader of the Opposition further questions?

Interjections by hon. members.

Mr. Speaker: The member for Scarborough West.

OMB DECISION ON TORONTO HEIGHT BYLAW

Mr. Lewis: I have a question first of the Premier, if I may. Is the Premier prepared to reprimand the author of the Ontario Municipal Board report on the height bylaw in Toronto for the intemperate and non-judicial nature of the finding by himself and his colleagues, contrary to what is required of the Ontario Municipal Board; or indeed to redirect that the height bylaw be heard again before an expanded board or other members of the board so that a far more impartial and judicial decision can be given?

Hon. Mr. Davis: Mr. Speaker, I am sure there are strong views in both directions as they relate to the board's decision. I think that is only fair to assume. I find it unfortunate that the hon. member would suggest that those members of the board who heard the application were less than objective, becauses it suggests there was some bias in their minds.

Mr. Lewis: Just read their judgement.

Hon. Mr. Davis: I find that unacceptable.

Mr. D. C. MacDonald (York South): Their report is intemperate.

Hon. Mr. Davis: I think it's a very unfortunate observation to make. From what the hon. member has said, Mr. Speaker, he is questioning, basically, the objectivity of the board.

Mr. Lewis: I said it is a non-judicious document.

Hon. Mr. Davis: No.

Mr. Lewis: Yes. I said it was an intemperate report. It was intemperate.

Mr. Speaker: Order please.

Hon. Mr. Davis: Let the member recall what he said. He is suggesting that the members of the board acted in a less than objective fashion.

Mr. Lewis: I think that is probably true.

Hon. Mr. Davis: All right, if the member says that, that's fine. I am not prepared to accept that as far as they themselves as members of the board are concerned. I regret it.

Mr. J. A. Renwick (Riverdale): But the Premier does agree that it was intemperate and non-judicious.

Mr. Lewis: Intemperate and non-judicious in the extreme.

Hon. Mr. Davis: With respect, Mr. Speaker, to the phrasing in the judgement and the question of whether the government would redirect a hearing, certainly as I understand it from the media, and I have had no direct communication that I know of from the mayor or the municipality of the city of Toronto, there may or may not be an appeal to cabinet at which time that question will have to be resolved. As it relates to the language of the judgement, Mr. Speaker, I guess here again it's a matter of judgement as to whether one would say it is intemperate. I gather the hon. member for Riverdale would use the term "less than judicious."

Mr. Lewis: That's what I used—"intemperate and non-judicious."

Hon. Mr. Davis: Well, the leader of the NDP also said it. I heard it from here.

Mr. Lewis: That is the implication.

Hon. Mr. Davis: I would say, Mr. Speaker, that I am not prepared to make that sort of analysis as an individual without the total documentation and the transcript. I think we must recognize that the Ontario Municipal Board has been given very important responsibilities in this province—

Mr. Renwick: We know that.

Mr. Lewis: We know that.

Hon. Mr. Davis: —and I think that for the leader of the New Democratic Party—and I am not saying that one can't be critical of judgements, but I do find it most unfortunate that he would suggest that these members acted in a less than objective fashion. Certainly one can question their judgements, but I do—

Mr. Lewis: That's what I'm doing.

Hon. Mr. Davis: —and I emphasize this—I question his observation as to their objectivity.

Mr. Lewis: Okay, okay.

Mr. Speaker: Order, please.

Mr. Lewis: By way of supplementary—

Mr. Speaker: Supplementary.

Mr. Lewis: The Premier doesn't think that the intemperate attack on the planner in the city was a way of avoiding what the board should at least have had the honour to do—which was to confront the politicians who had made the decision rather than to make the kind of decision they did in the fashion in which they articulated it? Surely the Premier can't condone that kind of behaviour from the board? That's not a judicial hearing or a judicious decision.

Mr. Speaker: Order please.

Hon. Mr. Davis: Mr. Speaker, the hon. member is trying to sort of skate around what he said earlier. I am not here—

Mr. Lewis: I am coming back to what I said earlier.

Hon. Mr. Davis: —to apologize or otherwise for the members of the Ontario Municipal Board. I think one has to sit there, be a part of the hearing and have the total evidence before one can make this sort of assessment. It's fine to read the judgement and the phraseology, but with great respect, unless one was there, unless one had the transcript available to him, I question whether he could make that kind of assessment sitting here in this House.

Mr. Renwick: How is the Premier going to deal with the appeal? He wasn't there.

Hon. Mr. Davis: I just say to the NDP leader that I wish he would take a look at what he said earlier—

Mr. Lewis: The Premier is going to have to deal with the appeal. He reviewed Spadina on the same basis from the same man; from the same man.

Hon. Mr. Davis: —because I will not sit here and have people question the objectivity of the board without registering some complaint.

Mr. Speaker: A supplementary from the member for York-Forest Hill.

Mr. P. G. Givens (York-Forest Hill): Mr. Speaker, arising out of the subject matter of the question, I would like to ask the Premier when he intends to implement the recommendations of the select committee on the Ontario Municipal Board which were tabled in this House on Nov. 21, 1972, which might have avoided some of the hassle that has occurred as a result of the last OMB hearing?

Mr. Roy: A good question; a good question.

Hon. Mr. Davis: Mr. Speaker, there is one aspect of the recommendations—I think I have said this in the House and certainly I have said it outside the House—that certainly in these circumstances has great appeal for me, and that is that there be some way found not to have appeals of this nature come to the cabinet of this province. But I say with great respect to the authors of the report—and heaven knows we have looked at all of it and at that aspect very carefully—we still have not determined a better way so that people who have appeared before the board, whether as individuals or municipalities, can have, as it relates to the kind of things that are appealable, some other form of recourse. As I say, I personally would be delighted not to have these appeals appear before cabinet, but as yet, Mr. Speaker, we haven't found a viable alternative that in conscience we have been able to accept. We are still looking.

Mr. Speaker: Any further questions?

Mr. Lewis: I want to pursue this, either by way of a separate question or a supplementary. Does the Premier recall that in the early part of this year his government, before the Provincial-Municipal Liaison Committee, said, and I quote:

> The government of Ontario views with favour the recommendations that follow from these principles. [The principles in the OMB select committee report.] 1. That the OMB be retained as an independent tribunal but that it no longer be put in a position of overruling the decisions of elected municipal councils.

When is the Premier going to do something about that matter, to which he has publicly committed himself within the last year?

Hon. Mr. Davis: Mr. Speaker, of course, I don't want to get into a lengthy legal discussion. I think there is a difference between the Ontario Municipal Board overruling in terms of policy, and also being responsible for some interpretation or some adjudication as it relates to certain laws that exist.

It's fine to say they haven't this right, but where do people go if they want to test the validity of an action by council, Mr. Speaker? Do they then go to the courts? And I say, with great respect to the Leader of the New Democratic Party, that that particular reference is not—

Mr. Deans: Go to the ballot box.

Mr. Givens: They go to the polls.

Mr. Deans: That's what they do when they don't like what the government does, they go to the polls.

Interjections by hon. members.

Mr. Speaker: Order, please.

Interjections by hon. members.

Hon. Mr. Davis: Mr. Speaker, with great respect, when it comes to a determination of the law—

Mr. Lewis: The government has created a board which is unworkable—

Hon. Mr. Davis: —you do not always go to the polls; you don't.

Mr. Renwick: —and subjected to the pressures of the developers.

Mr. Lewis: And subjected to the pressures of the developers, that's right.

Hon. Mr. Davis: Sure, in some situations.

Mr. Renwick: That is all it is being used for.

Mr. Speaker: Does the hon. member for Scarborough West have further questions?

Mr. Lewis: One can give a good decision, but the intemperate ones bring the objectivity into question. That's what is true of this one.

Mr. Speaker: Order, please. Further questions.

FEDERAL MORTGAGE SUBSIDY

Mr. Lewis: A question of the Minister of Housing, if I may, Mr. Speaker: Can the Minister of Housing do anything, in the mortgage subsidy programme announced by Mr. Danson, to prevent that $50 a month from being passed on, as it were, to the developers by a simple increase in rents?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I don't believe I can be responsible for Mr. Danson. I would like to think that we can work together in regard to the assistance for housing.

I have not been contacted directly by Mr. Danson about the proposal which has been in the news media. I would think it would be incumbent upon Mr. Danson as the federal minister to relate more directly with the Minister of Housing for Ontario. When I have the chance, Mr. Speaker, I would like to see if the federal government would supplement mortgage funds by actual funds rather than coming out with a programme that does nothing whatsoever to improve the situation of mortgage funds in Ontario.

Mr. P. Taylor (Carleton East): Like servicing land?

Hon. Mr. Irvine: All they have done in this instance is spread their money out very thinly. They have not supplemented their funds for housing for next year.

Mr. Roy: They don't dare give this government money any more, it wastes it.

Mr. Speaker: Order please.

Hon. Mr. Irvine: They had a budget of $1.3 billion supplemented by $100 million more for all of Canada. To me that is a very negligible amount.

Mr. Roy: They can't trust this government with federal money, it's wasting it.

Mr. Lewis: A supplementary: Accepting that in many areas, particularly in the limited dividend housing, the money will go directly to the developers, where it is a rental subsidy of $50 a month can the minister not insist on provincial intervention that the rents be maintained at their present level so that they are not simply increased to absorb the federal subsidy?

Hon. Mr. Irvine: Mr. Speaker, I would like to say that I'm going to discuss this proposal with Mr. Danson to ensure what the end result will be. I'm not entirely sure that this programme as enunciated is going to be effective.

We are, as you know, with them on a limited dividend programme. We have $50 million; for Ontario they have $25 million.

Their contribution so far has been very limited.

When the member referred to limited dividend and rent control on a 15-year basis, I think the programme is all right, but I want to make sure the end result is that those who are renting are the ones who get the greatest amount of relief from housing accommodation costs.

FAMILY PLANNING TASK FORCE

Mr. Lewis: A question of the Minister of Health, following his statement of today: Can he now table for the Legislature and the public the family planning task force material?

Hon. Mr. Miller: Mr. Speaker, it wasn't my intention to table the material. It's not secret; it simply is a working document on which we are basing these decisions. It's available and I'm quite willing to make it available to the members. I just did not see that it was a tableable item.

Mr. Lewis: Well by way of supplementary then, if the minister will make it available to me, would he mind if I tabled it?

Does he not think that a document in a field of this kind, of any comparable kind, on which you're basing some major decisions, should at least have public view and that it would be useful therefore to table it formally?

Hon. Mr. Miller: That is probably one of the hardest questions to answer, Mr. Speaker, with great respect. It's very difficult to know where to draw the line between tabling documents and not tabling them. There are often views expressed in private documents to ministers that can be misconstrued in public. I think we have to take out of those documents, which are prepared for our use, the conclusions we like and agree with, and sometimes we have to refuse to table the balance.

Mr. Speaker: Any further questions?

The member for Welland South.

APPOINTMENT OF FIRE MARSHAL

Mr. R. Haggerty (Welland South): Thank you, Mr. Speaker. I would like to direct a question to the Solicitor General. Can the minister indicate to the House when he will announce the appointment of a person to fill the vacancy that now exists in the chief office of the provincial Fire Marshal's office?

Hon. G. A. Kerr (Solicitor General): I am sorry. I didn't hear the last part of the question.

Mr. Roy: Is he still the minister?

Mr. Haggerty: Can the minister indicate to the House when he will announce the appointment of a person to fill the vacancy that now exists in the chief office of the provincial Fire Marshal's office? In other words, is the minister going to appoint a Fire Marshal for the Province of Ontario?

Hon. Mr. Kerr: Mr. Speaker, an announcement was made earlier this week that Mr. Kendall is the new Fire Marshal.

An hon. member: Where has the hon. member been?

Some hon. members: Oh, oh.

Mr. Roy: It was by way of secret document again, eh?

Mr. Deans: No, it was a public statement.

Mr. Speaker: The member for Thunder Bay.

INDUSTRY LOANS

Mr. Stokes: A question of the Minister of Industry and Tourism: Has the minister had an opportunity to assess the loans that were granted under ODC, NODC and EODC, and how does he explain that out of a total of $6.65 million that was handed out by way of loans to various corporations right across the province under a programme that was designed specifically to help slow-growth areas, 33.9 per cent of the total went to Metro, 8.4 per cent of the total went to the real north—that is, north of the French River—and 16.2 per cent of the total really went to eastern Ontario? And since when was Scarborough a part of eastern Ontario?

Mr. Roy: Did the member draw that up yesterday?

Hon. C. Bennett (Minister of Industry and Tourism): First of all, Mr. Speaker, if we take the loan programme as a blanket situation, we can distort the figures in any way, shape or form we wish. We must break down the loan programme—and I have explained this before in the House—we must very clearly break down the loan programme

between export loans, which are to assist manufacturers across the Province of Ontario in penetrating foreign markets, and development and tourist loans.

I do not have the exact breakdown with me in the House today, but I would be pleased to get it for the member. Again though, I draw attention to the fact that a good number of loans that are made in central and southwestern Ontario fall under the export loan category.

Mr. Speaker: The member for Carleton East.

Mr. Stokes: A supplementary?

Mr. Speaker: One supplementary then. The member who asked the question.

Mr. Stokes: Does the minister think that 8.4 per cent of the total, which is $6.6 million, is an adequate amount to be directing towards the fostering of economic development in northern Ontario, especially for a programme that was specifically designed to achieve that objective?

Hon. Mr. Bennett: Mr. Speaker, first of all, let's get it very clear that when we give out loans it is because of applications that are made to the development corporations.

Mr. P. J. Yakabuski (Renfrew South): He doesn't understand that.

Hon. Mr. Bennett: We do not go out and suggest to each and every businessman to come in and we will give them this money from our development corporations, because we are the lender of last resort.

Mr. Roy: I thought they did.

Hon. Mr. Bennett: I would also inform the member that the greatest percentage of accepted applications are for northern Ontario, and not central or southwestern Ontario.

Mr. Stokes: Those are the minister's figures.

Mr. Yakabuski: He is misleading the House again.

Hon. Mr. Bennett: Mr. Speaker, I am prepared to table in this House, for the benefit of this member and others, the number of applications that are made to the Northern Ontario Development Corp. and the number we honour by allowing financing under the various programmes of that corporation.

Mr. Speaker: The member for Carleton East.

OHC LAND PURCHASES IN OTTAWA AREA

Mr. P. Taylor: Thank you, Mr. Speaker. A question of the Minister of Education. Is the minister now in a position to give this House an answer to the question I put to him on Monday with respect to whether or not guidelines exist for school boards with reference to the makeup of committees and avoiding conflict of interest in land and property transactions?

Hon. T. L. Wells (Minister of Education): Mr. Speaker, I think my indication was that I would look into the matter which the hon. member asked me about, concerning a particular trustee of a particular board. I have asked the law officers of the Crown to prepare a report on that. I haven't got it yet. When I have it I will be glad to read it to the hon. member.

Mr. P. Taylor: A supplementary, Mr. Speaker?

Mr. Speaker: One supplementary.

Mr. P. Taylor: I appreciate the answer the minister has just given, and I would ask him to completely hear the nature of the question. It is a question asking whether guidelines have been issued by his ministry, or by him, to boards of education pointing out the pitfalls that can arise in this type of activity. Has he issued such quidelines? If not, will he issue such guidelines?

Hon. Mr. Wells: Mr. Speaker, I think that's a new question. It's not what the hon. member asked the other day.

The answer to that question is that the guidelines concerning all elected people at the municipal level are contained in the conflict-of-interest legislation which we passed in this House a short time ago. They are there, and all people elected to municipal bodies, including school boards, know they're there and that they lay out the ground rules under which they must operate.

If some of the boards would like an interpretation of that particular statute we'll be glad to get them an interpretation of it, but the legislation is there and they can read it. It's not new; it's been there for at least a year and a half now.

Mr. Speaker: The member for York South.

ATHABASCA TAR SANDS

Mr. MacDonald: In the absence of the Minister of Energy (Mr. McKeough) may I ask the Premier a question? Is the Province of Ontario actively pursuing with the federal government, the government of Alberta, and conceivably other governments and public agencies, the possibility of developing a public consortium to replace the private consortia which are now collapsing in terms of the development of the Athabasca tar sands?

Hon. Mr. Davis: Mr. Speaker, I can't say whether the Minister of Energy has had any discussions with the government of Alberta or the federal government. I know there have been conversations over the past number of months expressing an interest on the part of the Province of Ontario.

Of course, I can't comment as to any formal discussions between the federal Minister of Energy and the government of Alberta. I only go on press reports in terms of the federal government's interest in becoming involved in some financial commitment to the tar sands. I will ask the Minister of Energy and have an answer tomorrow morning.

Mr. MacDonald: By way of a supplementary: Since the federal Minister of Energy has indicated that a decision on this issue is going to be made within the next 30 days, would the Premier not agree that this is a critical time for Ontario to raise its voice if it feels it has a role to play in this kind of public development of such a great natural resource?

Hon. Mr. Davis: I think, Mr. Speaker, that if Ontario has a role to play obviously this should be determined, probably within that time frame.

Mr. Speaker: The member for Ottawa East.

GUIDELINES FOR OFF-DUTY POLICEMEN

Mr. Roy: Mr. Speaker, I have a question of the Solicitor General. Can he advise the House whether there are any guidelines about police officers across the province working on their off-duty time; and whether he's aware, for instance, of a situation in Ottawa which was pictured on the front page of the Ottawa Citizen showing an off-duty Nepean township police officer in uniform with a loaded shotgun in one of the local banks at Bayshore Shopping Centre? Are there any guidelines for that?

Hon. Mr. Kerr: Mr. Speaker, the hon. member has indicated that the off-duty policeman was in uniform in that particular store with a shotgun.

Mr. Roy: Yes.

Hon. Mr. Kerr: Is he under contract working with somebody when he's off duty.

Mr. Roy: Yes, he's paid by the bank.

Hon. Mr. Kerr: I am not aware of anything that prohibits that in legislation or in regulations, but certainly I will check that for the hon. member.

Mr. Roy: May I ask the minister a supplementary?

Mr. Speaker: One supplementary.

Mr. Roy: Just one supplementary, possibly by way of clarification: The off-duty police officer, according to the article, is being paid by the local bank. Does the minister not feel that if officers—for instance Metro police officers—are working off-duty they should not have the uniform of Metro police on? Secondly, does he not have some concern, for instance as shown here in the picture, that the officer is standing close to the public with a loaded shotgun in view?

Hon. J. W. Snow (Minister of Government Services): How does the member know it is loaded?

Mr. Roy: It says so in the article, and I believe it.

Hon. Mr. Kerr: Yes Mr. Speaker, I would be concerned that the off-duty policeman was wearing a uniform while he was under contract with some private company or private store.

Mr. P. D. Lawlor (Lakeshore): They do it all the time.

Hon. Mr. Kerr: On the second one, I'm not sure whether there is anything that would prevent that particular police officer, when acting as a security guard, from carrying a firearm of that kind.

Mr. Roy: No, I'm not objecting to that.

Hon. Mr. Kerr: I'm not sure if there is any prohibition against that at all.

Mr. Speaker: The hon. member for Stormont.

NOTICE OF LAYOFFS

Mr. G. Samis (Stormont): Mr. Speaker, a question of the Minister of Labour: In view of the layoff announced yesterday of 1,500 employees at Domtar over the Christmas holidays, and in view of the fact that over 500 other employees are being laid off over the Christmas holidays, can the minister tell me how far in advance his ministry is informed of these layoffs by various companies?

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, I can't tell the member the exact number of days. The Act sets out how many days' notice must be given to these people and they generally send us copies of these notices; they are obliged to send us copies and I think most of them do. It varies with the number of employees and the amount of time, and they are laid off, but they are conforming with the Act.

Mr. Samis: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Samis: Would it be possible for the minister to consult with the companies in a community like Cornwall to possibly arrange some deferment or spacing of the layoffs to minimize the impact on the community?

Mr. L. C. Henderson (Lambton): Why doesn't the member consult with them?

Interjections by hon. members.

Mr. J. F. Foulds (Port Arthur): It was a good question. These guys don't care.

Mr. Speaker: Order please. The hon. minister.

Interjections by hon. members.

Hon. Mr. MacBeth: Mr. Speaker, it may have been a good question, but my ears aren't as sharp as the ones in the back row here and I missed it.

Mr. Speaker: Will you repeat the supplementary question?

Mr. Samis: Very simply is it possible for the Ministry of Labour to ask the companies to possibly space out these layoffs rather than concentrate them all in one month or a period of two weeks, to make some arrangements to minimize the impact on the community?

Mr. Henderson: What's the difference?

Hon. Mr. MacBeth: Mr. Speaker, I think these layoffs come in from the companies, not because they want to make them but with the falling off of business. Of course, we'd be happy if they wouldn't make any layoffs at all, but I don't think that they get notice from their customers or that there is any way that they can spread them out. In other words, if there is no work this is when they announce a layoff.

I think to a certain extent some of them are spreading these layoffs out. Sometimes when they do it the suggestion is that they are letting them off in small numbers from time to time so they won't have to comply with the Act.

So the companies are criticized no matter how they do it. If they do spread them out then it is said they are doing it so they won't have to comply with the Act, and if they lay a good number off at once then the request is that they should spread them out.

I say the companies are complying with the Act and as far as I know they don't try to do any timing; they don't want layoffs themselves, they do it as the demands of business dictate.

Mr. Speaker: The hon. Minister of Colleges and Universities has the answer to a question asked previously.

GRANT TO TARRAGON THEATRE

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, on Tuesday the hon. member for Port Arthur, asked me whether the Ontario Arts Council had made any approach to Tarragon Theatre in view of the financial difficulties they are experiencing.

The Ontario Arts Council tells me they have been in touch with the Tarragon Theatre—

Mr. Lewis: That is why we asked.

Hon. Mr. Auld:—and that staff of the council will be meeting with the artistic director of the theatre on Dec. 27.

Mr. Speaker: The hon. member for Rainy River.

SEAFARERS' INTERNATIONAL UNION

Mr. Reid: Thank you, Mr. Speaker. I have a question of the Solicitor General, if I can get his attention.

Hon. J. R. Rhodes (Minister of Transportation and Communications): If the Solicitor

General can get the member's colleague back in his seat.

Mr. P. Taylor: Let the member for Ottawa East help the Solicitor General with the answer.

Mr. Reid: I might get an answer if my colleague stays there.

Has the minister been able to ascertain the source of the leakage of information to the hon. member for High Park in relation to the SIU? Has he been able to ascertain whether it came from within his own department?

Mr. Henderson: Has the member for High Park got his gun with him today?

Mr. Martel: Did the hon. John Munro get the member for Rainy River to ask that question?

Mr. Yakabuski: Is the member trying for Munro?

Hon. Mr. Kerr: Mr. Speaker, I'm satisfied that the leak didn't come from within the ministry. However the investigation is continuing and I'm hoping to have a report, certainly before the end of the year.

Mr. Roy: It didn't come from the Solicitor General?

Mr. Reid: One supplementary if I may, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Reid: I take it by now the deputy minister has sent a request for letters and information and evidence in regard to the SIU to Ottawa. Has the Solicitor General had a reply from them yet?

Hon. Mr. Kerr: No, Mr. Speaker, I have not had a reply from Ottawa.

Mr. Speaker: The hon. member for Sudbury.

SUNDAY TRUCKING OPERATIONS

Mr. M. C. Germa (Sudbury): Mr. Speaker, a question of the Minister of Transportation and Communications: I would ask him how he responds to the statements by the Canadian and Ontario truckers associations where they say that a clampdown on Sunday trucking would cause a food and fuel shortage and also cause industrial chaos in the Metro area. Will these statements deter him from his stated goal to control Sunday trucking in the province?

Hon. Mr. Rhodes: Mr. Speaker, I don't think those statements will detract from the efforts that will be made to exercise some control on the movement of vehicles on our highways on Sundays. I can tell the hon. member that we haven't backed off at all in our first position, which was to appeal the decision of the CTC in regard to the two trucking firms that received permission to come in from the west. I understand that is being dealt with in the courts. It may end today.

We are at the present time developing another approach that we think will solve this problem, or certainly go a long way toward solving the problem being created. We will not back off.

Mr. Deans: Good.

Mr. Speaker: The hon. member for Downsview.

ARREST BY HALTON POLICE

Mr. V. M. Singer (Downsview): Mr. Speaker, I have a question of the Solicitor General. Has the Solicitor General investigated the charge made, yesterday I believe it was, by Peter McWilliams, a prominent solicitor in Oakville who was a Tory candidate and a Crown attorney—

Mr. Speaker: Order please. That is not part of the question.

Mr. Singer: —that the police in Halton arrested someone because he had given evidence against an accused?

Hon. Mr. Kerr: Mr. Speaker, what I gather from the press report is that the person in question was called as a defence witness.

Mr. Singer: That's right.

Hon. Mr. Kerr At that time there was an outstanding charge against that person by the Oakville police. After the trial was completed, he was then taken into custody as a result of that outstanding charge.

Mr. Singer By way of supplementary—

Mr. Speaker: One supplementary.

Mr. Singer: Would the Solicitor General not agree that if a man as prominent and as well known in the legal profession as Mr. McWilliams—

Mr. Roy: He just wrote a book.

Mr. Singer: –makes that kind of a charge, it warrants some kind of an investigation by the Solicitor General?

Mr. Roy: Especially if he is a Tory.

Hon. Mr. Kerr: Mr. Speaker, after I read the article this morning, I did place a call to Mr. McWilliams. I haven't been able to talk with him. I have asked the Halton region board of police commissioners to give me a report on it.

Mr. Speaker: The hon. member for Windsor West.

Mr. Singer: Is the minister going to table the report before the Legislature?

Mr. Speaker: Order please. The hon. member for Windsor West.

BIG BROTHERS OF METRO TORONTO

Mr. E. J. Bounsall (Windsor West): Mr. Speaker, a question of the Minister of Community and Social Services: In the light of the board of Big Brothers having twice now turned down their negotiators' settlement with the striking social workers–and we all hope that the Minister of Labour is very successful in bringing about a settlement there–should all fail, would the minister consider channelling the funds provided by his ministry currently to Big Brothers to a new Big Brothers organization staffed by the striking social workers under a board representative of the entire community, a prospect which is now being considered?

Hon. R. Brunelle (Minister of Community and Soical Services): Mr. Speaker, I think that's something we certainly would be prepared to look into. If negotiations fail, our office is always open to hear representations from any worthwhile organization.

Mr. Speaker: The hon. member for Essex-Kent.

HYDRO RIGHT OF WAY

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I have a question of the Minister of the Environment. In his decision to overrule the inquiry officer as to a Hydro right of way in Kent county, is the minister satisfied that Ontario Hydro gave all the information pertaining to future use of that line?

Hon. W. Newman (Minister of the Environment): All I can go by Mr. Speaker, is the evidence that is presented to me by the inquiry officer. I made my decision on the evidence that was presented to me on the expropriation of that line.

Mr. Roy: That's the best answer all day.

Mr. Speaker: The hon. member for Sandwich-Riverside.

POLYMER WALL SEALING FOR URANIUM MINES

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of Natural Resources regarding the application of polymer materials to the walls of uranium mines, a method of sealing radon gas into the rock and thereby reducing the harm to uranium miners by at least 60 per cent. My question is has the minister received no report on this method devised by the United States Bureau of Mines, despite the fact that his letter of July 23 told me that "our consultants have been advised to investigate this method thoroughly and inform us on its application as applied to our precambrian rocks?"

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, our consultants, to my understanding, have contacted the US Bureau of Mines. I have not seen their report but I will get a copy of it and make sure the hon. member is made aware of the contents.

Mr. Speaker: The hon. member for Kent.

POSITION OF DEPUTY REEVES ON COUNTY COUNCILS

Mr. J. P. Spence (Kent): I have a question of the Minister of Intergovernmental Affairs or the provincial Treasurer.

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Or both.

Mr. Spence: Or both, yes; could the minister inform us if it is true that a few days after the Dec. 2 municipal elections, a county council in the Province of Ontario voted on a resolution under section 27(a) of the Municipal Act to exclude deputy reeves elected at the Dec. 2 election from voting in county council during a term in which they were elected in that municipality?

Hon. Mr. White: Yes sir, that is true.

Mr. Speaker: The member for Wentworth.

Mr. Spence: Supplementary: It seems very unusual that when the people vote a deputy reeve as a representative for the next two years, that he is excluded from what he is elected for.

Mr. Speaker: Is the member making that a supplementary question?

An hon. member: What is the Treasurer going to do about it?

Mr. Spence: Yes, what is he going to do?

Hon. Mr. White: The member for Lambton has expressed some interest and concern in this matter. We amended the legislation a couple of years ago to enable county councils to reduce their numbers by eliminating some or all deputy reeves in certain circumstances. The reason for that is that the old system, which gave no such latitude, was producing county councils with as many as 67 members; if I remember correctly. That was obviously unworkable. For that reason—because we are attempting to hand down powers to the local level of government—the Legislature permitted a county council to exclude deputy reeves when reason existed for so doing.

The change that was made in the area referred to on Dec. 4, two days after the election, was in a sense compatible with the intentions of the Legislature. I have some concern at the speed with which the resolution was introduced and carried, and I will be considering introducing an amendment which would provide for some space of time—I don't know if that means a few months or a year—

Mr. Good: When the new council takes over.

Hon. Mr. White: —between the election of councillors and the restructuring of the council.

Now I have just learned about this in the last few days. I really don't have any personal opinion to offer, but given the nature of representations from the member for Lambton, I certainly am taking the matter seriously and will consider it very carefully.

Mr. Roy: What about the member for Kent?

Mr. Ruston: The member for Kent brought it up.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Rhodes: Mr. Speaker, I am pleased to table for the information of members the technical evaluation of Toronto Island Airport, based on a review of existing documentation by the joint committee for Toronto Island Airport.

And as well, Mr. Speaker, I would like to have delivered, as requested much earlier by the hon. member for St. George, and I believe the hon. Leader of the Opposition—or, I am sorry, the hon. leader of the New Democratic Party—

Mr. Lewis: I accept either. It is like calling me David. Either one would do.

Interjections by hon. members.

An hon. member: We know what happened to him.

Hon. Mr. Rhodes: How about Harold? Will he take Harold too? In any event, copies of the background data are now available.

Mr. Lewis: Thanks very much.

Hon. Mr. Rhodes: The member is welcome. I hope he has a good time.

Hon. Mr. Miller tabled the annual report of the Ministry of Health for the year ending March 31, 1974.

Hon. Mr. Bernier tabled the annual report of the Ministry of Natural Resources for the year ending March 31, 1974.

Mr. Speaker: Reports.

Mr. Renwick: Which day was that meeting?

Mr. Speaker: Order please.

Hon. Mr. Bernier: The member missed it.

Mr. J. A. Taylor from the administration of justice committee presented the committee's report, as follows, and moved its adoption:

Your committee recommends that it be allowed to sit concurrently with the House for consideration of the following bills:

Bill 113, An Act to amend the Municipal Affairs Act.

Bill 118, An Act to amend the Condominium Act.

Bill 125, An Act to amend the Land Speculation Tax Act, 1974.

Mr. Renwick: Mr. Speaker, before that motion is carried, could we have a commitment from the government back-bench members of that committee and from the members of the

Liberal Party that whether the committee sits concurrently or otherwise, some members of those two parties will be present other than the chairman of the committee?

Mr. Speaker: I am afraid I can't answer that question. It will be up to the chairman of the committee.

Report agreed to.

Mr. McNeil from the standing resources development committee presented the committee's report, which was read as follows and adopted:

Your committee requests permission to sit concurrently with the House for its consideration of Bill 134, the Employment Standards Act, 1974.

Mr. Speaker: Motions.

Introduction of bills.

DISTRICT MUNICIPALITY OF MUSKOKA ACT

Hon. Mr. White moves first reading of bill intituled, An Act to amend the District Municipality of Muskoka Act.

Motion agreed to; first reading of the bill.

Hon. Mr. White: Mr. Speaker, at the request of the district council, the District Municipality of Muskoka Act is amended to place the responsibility for the provision and financing of water and sewage services with the district municipality. The bill also includes another important amendment, requested by the district council, to make the district municipality responsible for the preparation and adoption of official plans. The ability of the district municipality to charge fees for the disposal of different kinds of waste is also being clarified.

HERITAGE OF ONTARIO PROTECTION ACT

Hon. Mr. Auld moves first reading of bill intituled, An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario.

Motion agreed to; first reading of the bill.

Hon. Mr. Auld: Mr. Speaker, by way of introduction, I should mention that my ministry has the principal responsibility within the government to ensure the conservaton of Ontario's historical heritage. This is the primary objective of this new and comprehensive legislation.

The essential elements within the bill provide for the continuation and expansion of the role of the Ontario Heritage Foundation; the conservation, protection and preservation of buildings of historical or architectural significance, and greatly increased protection for our remaining archaeological resources.

As I am sure many of the hon. members will agree, over the past 20 years or so there has been a rapidly increasing awareness among our citizens of Ontario's historic past, and a wide measure of support from many different sections of the community expressed for overall and comprehensive legislation of this nature. This bill is designed to be a ready response to those desires and will enable us, Mr. Speaker, with a minimum of interference in the lives of our citizens, to achieve the conservation of our historical heritage and carry it out in a careful, responsible and responsive manner.

Mr. F. Laughren (Nickel Belt): Does this include the Council of Regents?

HIGHWAY TRAFFIC ACT

Hon. Mr. Rhodes moves first reading of bill intituled, An Act to amend the Highway Traffic Act.

Motion agreed to; first reading of the bill.

Hon. Mr. Rhodes: Mr. Speaker, this bill deals with nine subjects of legislation, four of which are of significant importance to the motoring public of this province. They are: Amendments relating to the operation of school buses; mandatory driver's-licence suspensions for conviction under the Criminal Code for offences involving the operation of a motor vehicle; delegation of powers to municipalities; and the regulation of motor-assisted bicycles.

The school-bus provisions are amended to require the school-bus stopping law to apply to all highways, regardless of speed limit. Under these new provisions there is an onus on the school-bus driver to activate the signals as prescribed. Motorists following a school bus must stop whenever school-bus signal lights are flashing, and motorists meeting the bus must similarly stop, except when on a highway divided by a physical barrier or an unpaved strip of ground. These provisions also prohibit the use of chrome yellow paint on buses other than school buses.

The driver's-licence suspension provisions prescribe a mandatory three-month suspension for all first offences, and a mandatory six-month suspension for every subsequent conviction within a five-year period.

In furtherance of the policy of delegating greater powers to municipalities, the bill contains provisions which will eliminate the need for approval by the minister of municipal bylaws regulating and governing traffic, with the exception of those relating to connecting links and the installation of traffic lights. Provision is made for bylaws to be filed with the ministry and for the repeal of bylaws which are inconsistent with the Highway Traffic Act.

Mr. J. Riddell (Huron): That's just the beginning for much-needed legislation dealing with automobiles.

Mr. Speaker: Order please. Does the minister have another bill?

MINISTRY OF TRANSPORTATION AND COMMUNICATIONS ACT

Hon. Mr. Rhodes moves first reading of bill intituled, An Act to amend the Ministry of Transportation and Communications Act, 1971.

Motion agreed to; first reading of the bill.

Hon. Mr. Rhodes: Mr. Speaker, the purpose of this bill is to set out the general functions of the Ministry of Transportation and Communications, the duties of the minister in the field of communications, and ministerial powers in carrying out his duties in the areas of both transportation and communications.

The existing ministry Act was introduced in 1971 to bring together the old departments of Highways and Transport. It does not contain a general statement of ministerial functions. It makes no reference to communications. It contains only marginal references to the standard powers that the minister may use in undertaking his duties.

The amendments I am introducing are intended to remedy these deficiencies and make the Ministry of Transportation and Communications Act more consistent with other ministry Acts.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

Hon. Mr. Winkler moves first reading of bill intituled, An Act to amend the Crown Employees Collective Bargaining Act, 1972.

Motion agreed to; first reading of the bill.

Hon. Mr. Winkler: Mr. Speaker, the purpose of this bill is to amend the Crown Employees Collective Bargaining Act, 1972, so as to recognize a number of changes suggested by the Civil Service Association and the other organizations that represent employees under the Act.

Of particular significance are the changes which provide for the reconstitution of the grievance board and the tribunal on partisan lines, the provision of ad hoc tripartite boards of arbitration, and the broadening of the scope of bargaining.

Mr. Reid: Mr. Speaker, before the orders of the day, the Chairman of Management Board indicated to the House on Tuesday, I believe, that after the cabinet met on Wednesday he would give us some idea of what we are going to do between now and the end of this sitting, and when we will adjourn. I would like to know if the minister has arrived at the decision and if he intends to pass all these bills before that date.

Hon. Mr. Winkler: Mr. Speaker, I must say to the hon. member that we had such a busy and productive day yesterday in the nation's capital that we didn't get around to discussing that matter. Cabinet will be assembling in a very few minutes and I will be able to let him know.

Mr. Reid: I hope they don't intend to pass all these bills.

Mr. Speaker: Orders of the day.

ONTARIO LAND CORP. ACT

Hon. Mr. White moves second reading of Bill 133, An Act to establish the Ontario Land Corp.

Mr. R. F. Nixon (Leader of the Opposition): Does the minister have any further statement before the debate continues?

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): I would be happy to make a speech right now if this is the wish of the Legislature. I did give a fairly extensive statement on first reading, so I will leave it in the hands of my hon. friends to decide the sequence of speakers.

Mr. Speaker: The Leader of the Opposition.

Mr. R. F. Nixon: Mr. Speaker, I consider the bill before us to be one of the most important we have considered this session,

certainly, and perhaps for a number of sessions before. My understanding is that its provisions will greatly enlarge the centralization of the planning concepts that have been so much a part of the policy of this Treasurer and his predecessors in the last six years.

He has made some substantial descriptions of the Ontario Land Corp. on first reading of the bill and elsewhere in the province, but I can say to you, sir, that I and my colleagues have a very deep concern as to its ramifications in the future development of this province, in the establishment of planning goals, in the sequestering of most of the developable land under governmental jurisdiction and, perhaps as important as anything else, in the continuation of the procedure of centralizing these responsibilities under the person who has been designated by statute the chief planner—that is, the Treasurer. He is a very busy man indeed, and he more than anyone else would know this.

I simply want to say again, sir, that I have very deep misgivings—

Mr. J. A. Renwick (Riverdale): I don't think it says that in the bill. It doesn't say that the Treasurer will be the minister under the bill, does it?

Mr. R. F. Nixon: Yes, it says that the Ontario Land Corp. would receive from time to time written instructions from the Lieutenant Governor in Council, presumably through the Treasury.

The concern that we have in the functioning of the bill, of course, has to do with what we have seen happening in the last few weeks —specifically the Treasurer's comments on the Ontario Land Corp.'s future. The government presently holds, through Ontario Housing Corp. approximately 18,000 acres, distributed across the province. I am very well aware, in my own community, of 1,000 acres held in the township of Brantford, which now for probably five to six years has dislocated the planning in the city of Brantford since Ontario Housing has refused to consider the development of those properties.

Another very large area of about 3,000 acres close to the city of Kitchener—between Kitchener and Cambridge—was acquired by Ontario Housing about four years ago and has not been further developed since that time. But there are these 18,000 acres that are held presently by Ontario Housing, and it might be expected that once the Ontario Land Corp. is established, if Bill 133 passes and is proclaimed, these acres would be allocated to their direction for their holding power and, of course, to provide collateral for them to raise funds.

More recently, under the Treasurer's direction and under his specific authority, four substantial townsites or sites of property have been acquired, two of them in the regional municipality of Haldimand-Norfolk. The first, in the former township of Townsend, amounting to some 14,000 acres, was acquired for $22 million, and just recently there has been a further acquisition not many miles away in the former county of Haldimand of a further 12,000 acres, which the Treasurer is very much enamoured of and which he feels will become one of the cities of the future. To hear him talk about it, he sounds, in the words of my colleague from Kitchener, like the wizard of Oz. He envisages the Emerald City rising on the banks of the Grand flowing with those clear waters.

Mr. J. R. Breithaupt (Kitchener): Yellow brick roads in every direction.

Mr. R. F. Nixon: It's quite interesting to hear, in his enthusiasm in describing these matters to the council of the regional municipality and, I suppose, to those people representing the local municipalities as well, his concept that perhaps this city, when entered in world competition, once more will bring honour and fame, if not to himself and his government, at least to the community.

I really am most amazed at the way he is carried away with the sort of concepts of magnetic levitation applied to local planning and building. Somehow he can't do anything small and somehow he can't do anything right. There is this problem that he, as probably the main author of the political problems of the government, cannot escape.

I suppose the pedestrian is not for him, certainly not in the closing days of a career that he himself, in the past, has called glorious. We don't know where the future lies for him but, certainly, I would suggest to you, Mr. Speaker, that the problems associated with the establishment of this corporation are going to be something less than the final crown in the Treasurer's diadem as he approaches the last few months of his responsibility in this aspect of public life.

We are, obviously, very deeply concerned. The problems of land planning are substantial. The Treasurer announced some weeks ago that he was going to enunciate a general plan for the province in the Legislature this

fall. It may not be possible to bring it down at this session but those were his predictions.

We would be very interested in this, of course. We, as the Liberal Party, certainly since I assumed the leadership in 1967, have been calling for a generalized plan for the whole of the Province of Ontario, particularly indicating where provincial initiatives are going to be established to further the growth of industry around which communities can expand so that the growth pressures can be removed from this specific part of Ontario, the "golden horseshoe." So far, such a plan has not been enunciated.

We were present some years ago when the Toronto-centred region plan was unveiled with fanfare at the Queen Elizabeth Building. I can remember the darkened room and the spotlights from the back focusing on the flag of the province as the Premier (Mr. Davis) and the Treasurer walked on, not quite hand in hand, but almost like the prime act at Shea's back in 1932.

There is something about the attraction for grandiose, theatrical presentation that the Treasurer and the Premier are enamoured of and I suppose it is, to some extent, a holdover from the election preparation days even as far back as 1967 and 1971. The public relations officers seem to get the attention of the politicians and this particular minister has now assumed, I suppose, the most important responsibility beyond all others and that is the chief politician of the Conservative Party.

Mr. Breithaupt: They are on a four-year cycle.

Mr. R. F. Nixon: He's already our chief accountant and, I suppose, we might call him an interpretative accountant since, in defending himself and his present budgetary position, he's coined that phrase, "as long as money in equals money out we're okay." This interpretative style of accounting has set him somewhat apart from his predecessors.

We used to hear the justifications for deficits and the applause associated with surpluses. We haven't heard of a surplus in this province since John Robarts gave up the direction of the government back in 1970.

Hon. Mr. White: We have a surplus.

Mr. R. F. Nixon: Yes, yes; by the Treasurer's interpretative accounting we have. Yet it's nice to know that when the Treasury, not the Treasurer, makes an accounting to the Legislature at least it still refers to it as a deficit, and the figure associated with it this year is $848 million.

He's an accountant, sure. He's also the planner; he's the chief planner. I think it was his predecessor, Mr. MacNaughton, who finally enunciated the fact in a committee that I recall very well when he said, "Yes, I am the chief planner." He took some very important decisions in those days.

One that I recall specifically was in connection with the problem enunciated by municipalities in the Grand Valley, that the time would come when water from Lake Erie would have to be supplied by pipeline. It was put by the opposition and by independent planners that as we had committed $800 million to the establishment of the electrical facility at Nanticoke, with all of the associated pumping, water intake and partial purification facilities, that was the time to make that intake oversize so that when a pipeline was required in the fullness of time at least we would have made the commitment and the planning to accommodate it.

When Mr. MacNaughton decided to do that he did so in his capacity as chief planner. I believe that it was a wise decision. Certainly it was one that had to be the responsibility of the government of the province rather than being left to the local municipality.

But since that time, the concept of being the chief planner for the province seems to have been enlarged, or inflated; it has become grandiose in the most frightening terms to the point that the present Treasurer, the present chief planner, feels he can pick up city sites without even consulting his cabinet colleagues. I even get the impression that when he brings them to the attention of the Premier, he is told: "Don't bother me now. That's your job, John. You go ahead."

I'll tell you, Mr. Speaker, this does concern me. I am not so much concerned that he consults his cabinet colleagues—in the secrecy of cabinet, of course, we have no way of knowing how much consultation there is, but there should be consultation there—but what does concern me is that the chief planner is not prepared in any way to consult with those people in the communities affected. Certainly he is not prepared to consult the community of Ontario in the broad sense and not, for example, the regional municipality of Haldimand-Norfolk or the area surounding Pickering about what led them to make those specific decisions, but simply to announce them in the Legislature.

Besides being our chief accountant and our chief planner, he's our chief—perhaps he's not

our chief economist, but let's say he is our Minister of Economics. He might think of himself as our principal economist, but I simply cannot support him in that particular delusion.

Mr. M. Gaunt (Huron-Bruce): We cannot go quite that far.

Mr. R. F. Nixon: When the debates take place here he enjoys those aspects probably more than any other, and he probably harks back to his own lectures at the University of Western Ontario in drawing the significant conclusions from those pearls that he was casting in those days in his previous incarnation.

But I am concerned about the economy and about the economics of the decision he has made in involving the government in the acquisition of these tremendous tracts of land. He is aware that with the imposition of the land speculation tax, the government is really the only land buyer that a landholder can look at. If the government buys or acquires it by some procedure, the land speculation tax is not payable.

I had a visit from a farmer in the Haldimand area who has a pig farm right over the line fence from what I suppose will come to be called the Emerald City; that is, the new townsite about which the minister is so enamoured.

He said: "They passed me by, and I'm glad they did." He happens to have a very prosperous hog operation. "But," he said, "I've got this problem: Hog farming has certain community drawbacks, as anyone knows who lives close to a hog farm.

"A new city is going to be built over there," he said, "and, frankly, I am prepared to expand. I've got plans for an $85,000 expansion, and I don't know whether I can go forward with it or not. What do you think I should do?"

I said: "I think you should talk with the agricultural representative and the local planners. But if you can't get any decision, go ahead anyway, because you were there before the city."

Then he said: "Perhaps there are alternatives that I should consider. Perhaps I should move to an area where the government—the taxpayers—are not going to have to buy me out five years from now for peace, order and good government and freedom from offensive odour for those people who are going to live in this new city.

"But, he said, "I cannot sell to my neighbours. The government bought this property at an average of $2,500 to $3,000 an acre. I bought it myself for $300 an acre about 11 years previous. No farmer can buy this property at those rates and farm on it. There is no way. Obviously the land speculation tax that I would have to pay, because of the escalation in those values since April 9, or whatever is the critical date, means simply that I can deal with only one buyer, and that's the government." I simply point this out as one area in which the land economy has been dislocated.

In thinking about this, I would say: "Well, I suppose it's nice that the speculators are not in business down there the way they once were."

On the other hand, we do believe in a free enterprise economy. And I frankly believe that the Treasurer, from time to time, thinks about that himself. But if there ever was an intrusion into the free-enterprise economy, it was certainly the procedures and the development based on the land speculation tax and the powers that the Treasurer has now—and which evidently he intends to pass on to the land corporation.

I am very much concerned that as our chief planner, our chief economist, our chief official in municipal affairs as well, he has taken unto himself far too much personal authority. I mean the authority that has been taken on by John White, not by the Treasurer—where somehow an overall personal plan for the development of the province seems to be evolving.

It leads him to commit the province—well, what would it be now? If there were $22 million in Townsend—I don't believe we've had a definitive price before the Haldimand site—and it's 12,000 acres; not 14,000. But the price was about an average of $1,000 an acre more; so I would think there would be probably $25 million to $30 million—is that a ball-park figure?

Hon. Mr. White: No, the price is a little less.

Mr. R. F. Nixon: It's a little less?

Hon. Mr. White: About $1,900, I believe.

Mr. R. F. Nixon: And then there is the 18,000 acres that the Ontario Housing Corp. presently holds. The Pickering site was bought at such an inflated figure—I'm not aware of what the most recent one is, but it must be between $180 million $200 million. Then there is the site at Spencerville, which everyone protests they know nothing about—that is, from the local area. The local mem-

ber happens to be the Minister of Housing (Mr. Irvine).

Mr. M. Cassidy (Ottawa Centre): The Treasurer was the only one who knew about it.

Mr. R. F. Nixon: The Housing minister at first protested that he knew nothing about it at all. Finally, some weeks later, when the Treasurer let him in on it, he simply said that it would be in the best interests of the local community.

The Minister of Industry and Tourism (Mr. Bennett) stated very flatly that he knew nothing about that, and that it was not the government of Ontario that was involved in that. He, too, back-tracked in local statements, I am given to understand.

At least the Treasurer was honest enough, when questioned, simply to say, "No comment."

But I get the impression that it wasn't a decision entered into by the cabinet with the Treasurer, with the powers that have been given to him as the operational force. It was the minister building some sort of a developmental empire—in the name of the people, certainly; and for the good of the taxpayers, we would hope—but with a concept that seemed to have arrived full-blown from his own massive brow. It's frightening.

It certainly concerns me that democracy in this province has moved to such a state where the Treasurer somehow has been able to buffalo everybody in the cabinet, from the boss on down to the Minister of Correctional Services (Mr. Potter), to establish this concept. There's nobody else here that I can talk about. There is only one minister here; so I can't really insult anybody directly—and I don't intend to. But, as I say, this is a concern of mine.

I hope that the Treasurer can give us an assurance that these acquisitions do fit into a plan for Ontario — a plan which he has now promised us for some time, but which is not before us—that they do fit into the concepts that were enunciated in the Toronto-centred region plan. That plan, as I understood is, called for a decentralization of growth, but that apparently is a concept which has been lost, since there has been the acquisition, or at least—well, I suppose it's the acquisition of federal funds of close to $200 million to build a big sewer pipe; which seems to change the whole idea of restricting growth in this area.

The Treasurer is the chief accountant, the chief planner, the chief economist—and he is our chief municipal authority. I think he may enjoy that more than being even our chief delegate to federal-provincial conferences—other than the Premier.

There must be a great feeling of power when the Treasurer goes down to talk to the regional municipality of Haldimand-Norfolk. He looks at the chairman—a man that he created; a man that he pays out of his own budget—and he says: "Well, John, here we are to reason together." Is that a phrase the Treasurer ever uses? Probably not.

Hon. Mr. White: No, I don't use that phrase.

Mr. R. F. Nixon: However, he doesn't use the phrase that John Robarts used to use; and that is: "We are here to continue a new partnership." Because it isn't a partnership. In Haldimand-Norfolk he created the chief. He created the ground rules, he made the municipality in an image which he saw fit, and he goes down there and says, "You have complete freedom here as far as planning is concerned, because you can choose one of four alternatives which I now present to you." I was talking to a councillor in the city of Nanticoke—members may have heard of the gentleman—Harry Scott, a very able former mayor of Waterford and a very perspicacious gentleman. I hope sometime in the future we may hear from him even in this chamber. He's a very able person indeed. He says the Treasurer talks as if the city of Nanticoke doesn't exist; that this will contain entirely the new city on the Townsend site and, at the best, the city of Nanticoke would have one person on the so-called planning corporation that is envisaged and referred to by the Treasurer from time to time. I want to come back to that.

The Treasurer, as Minister of Intergovernmental Affairs, is also our chief spokesman, other than the Premier, in dealing with the government of Canada. I was in London yesterday and was as critical as I could be of him in that particular area. I was glad to read in the comments of one of the columnists today that he was at least the spokesman who wasn't rattling the sabres and unpinning the grenades down there, but talking about reasoning together and working this out; as well he might, because whatever the deal on oil and energy it will be Ontario that pays.

Surely we are not in a position to take a stand that is going to exacerbate the problems that presently exist. But he is in a position to say to the government of Canada, "Please don't give us grants, as far as housing pro-

grammes and land banking programmes are concerned, on a project basis; we want block grants." That's not the way he talks to the municipalities, mind you, but as the chief minister it is surely the point of his negotiations with the government of Canada to transfer as much money as possible—and I don't criticize him for that—without any strings attached; and I don't criticize him for that either, as long as he is prepared to apply the same criterion when he passes the money on to the municipalities.

But it will, in fact, enable him to set up in this land corporation a machine that is far bigger than that blue one. It is, in fact, a monster, the Ontario Land Corp., in a sense that I find frightening—that it reports to the Legislature in no significant way; it does not have to ask the Treasurer to supply funds from the consolidated revenue fund so that it would therefore be debated in the estimates in this House. This particular corporation has the power, once the property is deeded over to it, to borow on that collateral, to borrow on the credit of the province, to undertake the expansion of the planning authority that is presently in the hands of the Treasurer, and I would submit will stay there and be directed through this corporation.

This corporation is going to become enormously large. It's going to be, by all odds, the largest land-dealing syndicate or land-dealing corporation in the province—probably in North America—and its funds will be internally generated to a great extent, since it can borrow on the credit of the province but without reference to this House.

Perhaps this concerns me more than anything else, because the Treasurer is also, as I said a few moments ago, our chief politician. He is concerned, I am sure, with the state of our budget at the present time. He has received a good deal of credit for saying to the farmers in Townsend, "We would be glad to lease you this property for farming purposes, and we can enter into quite long leases." I would think that the land corporation would be able to say to a housing developer, "We will make this land available on a lease basis," and after the payments are completed in 25, 30 or 40 years and the individual owns his house, the land corporation could still retain title to the property; certainly such would be the case in industrial developments.

It seems that this machine might, in fact, become the tail that wags the governmental dog if its revenue-producing capacity is allowed to go on the basis which it appears to be capable of in the bill that is before us. I do not believe that there are anywhere near sufficient control measures in that one section—and I should be able to read it out directly—which simply says that from time to time, in a written directive the Treasurer or the Lieutenant Governor in Council may establish certain policy areas.

It is not often that we complain about the lack of a regulations section but it seems to me, Mr. Speaker, that in this instance there will be no regulations which then can be reviewed by a committee of this House, no regulations which, in fact, would be under the jurisdiction of this House at all, but simply a policy pronouncement from the government through the Treasurer—and more properly just from the Treasurer through the Treasurer—to the land corporation which is going to make it a monolithic economic force, a monolithic economic machine that is going to be active in this province to carry out the policy goals of the Treasurer and probably of the corporation itself.

I don't often quote the McRuer report. I am aware of its traditions and how it came about. I have the greatest respect for the chief judge. I have felt that in the last few years his basic recommendations have not been looked on with the credit that they deserve. I believe the one that is quoted probably more frequently in this House than any other has important application now. I would like to read you about two paragraphs from vol. 1, pages 126 and 127, Mr. Speaker. This is from the report of the royal commission inquiry into civil rights by Chief Justice McRuer:

> The general principle that all governmental decisions on grounds of policy should be made by ministers or under the control and direction of ministers who are members of the Legislature renders all executive action accountable to and subject to the supervision of the Legislature. This doctrine is the mechanism by which the Legislature maintains its control.
>
> The consistent application of this principle requires that apparently independent officials, boards or commissions ought not to be set up to make administrative decisions when, in fact, their decisions are controlled politically. The objective often is to relieve the government of responsibility for policy decisions that may be embarrassing politically.
>
> The practice is undesirable on two grounds. If the official board or commission considers that the statute under which the

> power is conferred requires an independent decision, the decision may conflict with government policy. In such case, the government has abdicated one of its true functions to decide and control policy. If the exercise of the power is given the appearance of independence, but the power is exercised in consultation with or under the control of a minister, this appearance is a mere deceptive facade.

This is one of my basic concerns. I don't like the concepts of the powers that have been given to the Treasurer by the Legislature, often on division and with severe concern being expressed, but which do lie now in the hands of a person responsible to this House. I personally resent a large monolithic self-financing structure, which has some appearance of independence, to be established to carry out those powers without some more effective means of control by this Legislature. There is no financial control. There is no regulatory control. As a matter of fact, the only control is the powers that this House has on the Treasurer.

Those are minimal. Certainly the House doesn't have much control on him. I don't even feel the cabinet has much control on him.

Mr. Breithaupt: All that are here do.

Mr. R. F. Nixon: Yes, all that are here can effect that control. This is at least one of the specific areas of concern that I would like to bring to your attention, Mr. Speaker. More specifically, I read a report in the London Free Press, dated July 13, 1974, by Jim Sheppard, which truly concerned me. If the land corporation is some sort of a formal repository of title deeds and, in fact, the government through its policy announcements and after debate in the House is going to do certain things, well, I suppose we might give more consideration to accepting that concept. I quote from one paragraph in this article in the Free Press, July 13, 1974:

> Mr. White had said that in the early days of the community—

I would interrupt and say he is referring to the new cities of the type that are going to be established in Haldimand-Norfolk and in Pickering. I go on quoting from the article:

> —a rudimentary form of council, probably a provincially appointed board of trustees, would govern the city or town. As soon as the population grew to a suitable size, formal elections for a council would be held. The council would gradually assume control of all municipal affairs until the land corporation was convinced it could take over complete control.

Mr. Speaker, that concerns me. I think I made reference to this once before, but I must say again that the Treasurer may see himself as a commissar sitting in the Kremlin and saying: "The politburo has told me to build a new town in Siberia out on the steppes. It's easy to do because they have given me the powers to control it, the money to put in the facilities and probably whatever is needed in Russia to persuade people to go and live there." The easy thing is that there's nothing there but permafrost, and maybe tundra, but that's not the case in the city of Nanticoke.

The Treasurer himself was the author of the regional government bill. I can recall—I certainly should have this quote before me, but I don't—him talking about the advantages of regional control and saying that they would in fact have the responsibility for their own development and their own planning, and that the small municipalities couldn't do this any more, which was why regional government was necessary.

If I remember correctly—the hon. member for Waterloo North (Mr. Good) could help me with this—I believe there's a special planning grant for regional governments that is not available to ordinary municipalities. In Haldimand-Norfolk they have a very effective planning group, and when I think of it, Haldimand-Norfolk specifically — the area where this first new city may be built—was designated by the Legislature the city of Nanticoke. It is not the steppes of Siberia, but on the other hand it is fairly open and good farmland, with a number of towns located within it such as Waterford and Port Dover, which the Treasurer considers his second home. That town is probably the cause of one of the good influences on some of the decisions he's made in the past.

My point is that there are people there, there is an assessment capability, there are tax responsibilities, there is a planning board. As a matter of fact, there is a regional government and a newly elected council of something called the city of Nanticoke. Yet the Treasurer envisages something established under the jurisdiction of the Ontario Land Corp. which sounds to me very much like those old improvement district councils that the government used to set up in the north.

What was that famous one where the chap was designated the chairman of the improvement district and did all the planning his own way? He had the Shell station on the

only corner in town—that sort of small-time Tory involvement, which the Treasurer may recall.

It sounds as if he really wants to make "an improvement district" down in the middle of the city of Nanticoke. I believe that this is completely unacceptable. It flies in the face of all of the concepts that have been put forward by the Premier, the Treasurer and his predecessors—as to the reason for regional government.

My own feeling is that if the government of Ontario must be involved in the development of a new city site or townsite, and obviously they will be, they should be subject to the municipal law and the planning law of the region or even the municipality concerned. I really feel that the government's position should be as a developer, albeit a major developer with unlimited resources and with responsibilities that do transcend any specific municipal boundary. But if the government attempts to go in and build cities with the power of the Ontario Land Corp. behind it, with the attitude of a commissar establishing a new community where nothing already exists, then it is making a serious mistake—not the least of which will be a serious political mistake.

The minister, in my view, has usurped the planning function of the local community. I felt that this was done in Pickering; it certainly has happened in Haldimand-Norfolk; and it appears to be happening in the Spencerville land assembly as well.

I know that one of the concepts that he has talked about frequently has been that the Ontario Land Corp. can take these properties and hold them for agricultural use in the future. That's interesting; very valuable. They can make them available for the development of new communities—obviously we need something like that for housing—and they can be used for the development of industrial parks.

As far as housing is concerned, I really believe that while the idea of a new town is attractive, exciting, has political pizzazz, and is therefore an attractive concept for the Treasurer, who likes waving flags, climbing mountains, and other things like floating on magnetic waves, still he must be aware that there are communities in Ontario from Windsor through to Ottawa where there is all sorts of growth potential for the accommodation of at least a large percentage of the growth in population that has been predicted by the Treasurer, the Economic Council and demographic experts from all levels.

It appears we are looking at practically a doubling of our provincial population by the end of the century. I personally don't think that is going to happen, but it might be my conservative tendencies. I don't think that's going to happen, but I think of the requirements for housing and for the facilities to accept an expanded accommodation in population, in towns like Paris, Waterford, Simcoe, Port Dover, Dunnville, Cayuga—you name them, Mr. Speaker—in almost every community. They have been held up now for years by the planning red tape and bureaucracy which has been the direct responsibility of the Treasurer and his predecessor.

I think of my own small community of St. George, population 1,000. There hasn't been a new house built there in five years, maybe longer. The young couples from the community who are looking for a place to live are, unfortunately, waiting for the old retired farmers to be planted up in the cemetery—there is still room up there. Then they converge, and the price of these old clapboard homes, beautiful and attractive though they are, has escalated, Mr. Speaker, from a house that I bought in 1954 for $8,000 to probably an average of $50,000 for properties that don't have any sewage disposal and that have very expensive taxes; without any facilities really at all, the taxes on an ordinary house are over $400.

I am just talking, Mr. Speaker, about the developmental potential of those towns right across the province. There is lots of room in our church; as a matter of fact there is even room in our arena. Our school has at least one major teaching area that is not in use.

In other words, the social capital has been invested, and we are kept by edict of the Treasury, or the Minister of Intergovernmental Affairs—I think he is wearing that cap when he does those things—from expanding that growth at all. It is not frozen. There just isn't any growth. And that's the same in most other communities, certainly in my constituency and that whole part of southwestern Ontario.

I would simply say to you, Mr. Speaker, that the idea of a handful of new towns—I think the government is talking about 10 of them by the year 2000—just smacks to me of grandiose bad judgement, a waste of public funds, intrusion into local autonomy. It is simply a half-baked, hare-brained approach to the problems of accommodating a growing community that on the one hand the government applies, without good sense or judgement, what amounts to a freeze on the growth of almost every community in southwestern Ontario; that by its own acts it has escalated the costs of serviced lots that are available beyond the reach of anybody on an ordinary

income. Then it comes through with the great solution—now towns on good farmland; the imposition of what is going to be a functional monster, the Ontario Land Corp. feeding on its own economic resources without the kind of democratic control that, in my view, is absolutely essential.

I'm almost working myself up to oppose the bill.

Mr. Renwick: We were just saying that to ourselves, sotto voce, over here. We have seldom found the member this vehement in the last analysis in supporting the government.

Mr. R. F. Nixon: Yes, right. I don't know whether I can get my colleagues to go along or not. But the more I think about this, the more I find it completely nefarious.

Mr. Renwick: Does the member think it is flawed in principle?

Mr. R. F. Nixon: I've got some excellent notes here. One of the more interesting comparisons—since the hon. member for Riverdale has interjected—was a comparison of the Ontario Land Corp. with a similar emanation established by the government of British Columbia. It was established under the Land Commission Act passed April 18, 1973. I think the Treasurer is aware that it wasn't sort of accepted in all parts of the Province of British Columbia as the most benign and useful emanation from that NDP administration.

In many respects there are comparisons. The BC commission, like the proposed OLC, is a corporation whose directors are appointed by Lieutenant Governor in Council. In BC there are only five directors; in Ontario it is proposed there will be 12. The Lieutenant Governor in Council designates a chairman in both cases. The BC legislation provides that:

> Among the objects of the land commission shall be: To preserve landbank land having desirable qualities for urban or industrial development; and to encourage the establishment and maintenance of land in a landbank land reserve for use compatible with the ultimate use for industrial and urban development.

The objects of the proposed Ontario Land Corp. are "to assist in the promotion of community and industrial development of land in Ontario."

But there are differences. The BC Land Commission is specifically prohibited from using expropriation to acquire land. The proposed Ontario corporation may, and I quote, "expropriate any land that is considered necessary for its own use or purposes."

It is interesting. I suppose the Treasurer would be the expropriating minister in the cases of a hearing of necessity.

Mr. Breithaupt: He would be the chief expropriator.

Mr. R. F. Nixon: It would be very difficult, surely, when the land is going to be gathered together—like the properties in South Milton, where even the Minister of Housing who paid those extravagant, inflated prices for that property, could not tell us what the land was for. I believe the Treasurer is going to have substantial problems there. As my colleague has said, besides his other duties, the Treasurer would, of course, become the chief expropriator in the province.

Secondly, the activities of the BC Land Commission may be directed by the government of the day through regulations respecting any matter required for carrying out the purposes of the Act. The only legislative control over the activities of the proposed Ontario corporation is provided in section 9, which I wanted to quote a few minutes ago, and which I will quote now. It provides that:

> The board shall comply with any direction from time to time given to it in writing by the Lieutenant Governor in Council or the minister with respect to the exercise of its powers.

That is the only segment whereby the Legislature intrudes on the activities of the corporation in any respect. In other words, the political direction of Ontario has no formal aspect, and it is secret, and is not subject to public or legislative scrutiny in any fair or obvious way.

There is also the third difference. The financing of the activities of the BC Land Commission remains under the direct control of the Legislature. In other words, it is funded through appropriations from the consolidated revenue fund and approved by an Act of the Legislature. The funding of this corporation—as I've said twice now—is entirely independent of the Legislature through its own general borrowing powers, which are subject only to the approval of the Lieutenant Governor in Council.

An argument can be made, I suppose, for establishing our land corporation with those independent fiscal powers. Because, I'll tell you, there's money to be made in land; par-

ticularly if you can buy it cheap and sell it dear; or particularly if you can buy it cheap and lease it dear and have the land maintained in ownership of the land corporation in perpetuity.

But, I'll tell you, Mr. Speaker, if the Treasurer is thinking that his budgetary problems are going to be solved by going into the land business, it surely is a strange approach for any reasonable Treasurer, let alone a member of a Conservative administration. It seems to be a very strange proposal indeed.

I have put to you, Mr. Speaker, my concerns that the passage of this bill will establish not just another commission—and Ontario is saddled with many of them—but a commission which will rival Ontario Hydro with its impact on the economy and its independent powers in this province. I believe, more than anything else, that the planning authority must be subject to public scrutiny and essentially must be responsible to the wishes and requirements of the community to be served. In general terms, the community is the province, but in specific terms, in those areas where the land corporation will intrude itself most directly, it has usurped the governing powers of the municipalities and planning boards established previously by the Legislature.

I am deeply concerned about the ramifications of the bill that is before us. I would say to you, Mr. Speaker, it would be a serious matter if it were carried. I and my colleagues certainly are opposed to it and will divide the House in our opposition. We feel it is a serious mistake, with ramifications that will go on to the end of this century and beyond unless the bill is stopped or, which is more probable, the government is changed.

Mr. Speaker: The hon. member for Riverdale.

Mr. Renwick: Mr. Speaker, I have a few things to say about the bill. A strange thing about the bill is that it really represents a very substantial come-down by the Treasurer from the grandiose plan which he had put forward when he had made his budget address earlier this year.

It's rather interesting that the bogey that was conjured up by the Leader of the Opposition may have been marginally true had the minister followed through with the original plans relating to the Ontario Land Corp. But what we have today is a very small operation compared with what was originally envisaged. Indeed, when I was listening to the Leader of the Opposition it was almost as if he had built his whole speech on the one paragraph in the budget address of the Treasurer which related to the Ontario Land Corp., and from that day to this hadn't given another moment's thought to the structure of the corporation or what it was supposed to do.

The come-down of the minister is really quite fascinating. I think it also raises a number of questions which have not yet even been answered by the minister in any of the statements which he has made in the Legislature. Indeed, at one point he sent up his colleague, the Chairman of the Management Board (Mr. Winkler) to make an address to explain to the community the come-down that had taken place.

When the minister made his budget address he said:

> The new Ontario Land Corp. will have the power to acquire, service and develop land in the province for resale or leasing on a long-term basis—the corporation would also be involved in the establishment of industrial parks to nurture development in certain parts of the province. It would also purchase and lease back lands and buildings to the Ministry of Government Services in competition with the private sector. It would acquire the assets of projects such as the North Pickering community development project and possibly other new towns.

Then, in a typically grandiose, red-Tory statement of his government's ability to deal with the financial community, he had one of the loveliest phrases I've ever heard in the later part of his remarks about the Ontario Land Corp.:

> I am inviting proposals from the investment community to form a new syndicate for the financing of this corporation, using imaginative debt instruments and introducing a new note of competition into the capital markets.

Well, the minister went downtown and had his meeting with the financial investment community—and they taught him a few lessons. As a result, he came back with a small shrunken version of the original conception of the Ontario Land Corp.

As I said, he sent his colleague, the Chairman of the Management Board, up to the Inn on the Park on Nov. 19 to speak to the Property Forum '74 about the nature of the Ontario Land Corp. Having quoted one portion of the Treasurer's statement on the Ontario Land Corp., he referred to "a sub-

sequent part"—this is the part that I just quoted, but of course, the Chairman of the Management Board didn't quote that part—and he said:

> A subsequent part of the Treasurer's statement described the corporation in terms that were reasonable at the time but which, in the light of subsequent developments, may well be modified. At that time the idea was only at the conceptual stage—

That means the Treasurer just thought it up before the budget was introduced. That's what they mean by conceptual.

Mr. Cassidy: He thought it up as he was speaking.

Mr. Renwick: He continues:

> —and any description of the corporation's functions had to be couched in very general terms to allow for consideration of a range of optional structures and functions.

Well, there wasn't anything very general about the four points which I enumerated a few moments ago. They were extremely specific.

> Also, the government believed at that time that the corporation might usefully have a wider range of functions than those now assigned to it—which are the financing and assembling of land for new towns and new industrial parks, and the financing of certain forms of government accommodation involving leasebacks.
>
> I am sure you will be interested to know that in refining the concept of this corporation to the point where it is now set out in a legislative bill, we were influenced in part [I'd say almost totally] by advice from the investment community and others from the private sector. I make no apology for that. The process that has taken place since last April has been an open, democratic process of consultation with individuals and organizations who were in the best position to provide the government with the advice it was seeking.

Well, we know how open that June meeting with the Investment Dealers Association and representatives of the financial communities and the development companies was. That was not an open meeting.

Hon. Mr. White: There was an advertisement in the Globe and Mail.

Mr. Renwick: That was a closed meeting, and the only thing that might have been open about it would have been the discussions which took place behind closed doors with reference to the development of the conceptions of this corporation. And from that day on the ministry reviewed, refined, limited, confined the way in which this corporation was to operate. He invited his listeners to suggest what the corporation's functions and limitations might be, how it would be financed, what its relationships would be, and so on and so forth. Then he invited submissions from the financial community, and they got a great number of those.

Mr. Cassidy: Twenty.

Mr. Renwick: Then, of course, the Chairman of the Management Board said:

> In the course of our deliberations, the government considered three possible models for the new corporation.
>
> The first was a purely financial corporation. That would have been solely a source of funds for the province's land acquisitions.
>
> The second model was an omnibus corporation which would not only acquire the land but service it and develop it, though not hold the land in perpetuity. This one, in other words, would have been both a financial institution and an operating company, buying, developing and reselling and leasing real estate, both as housing and industrial sites.
>
> The third model was a combination of the first two. It would be a financial corporation which acquired land and then turned it over to its own operating subsidiaries.

Well, in the deliberations they considered those three models, but then, of course:

> As it turned out, all three of these basic models were rejected in favour of a fourth model, which evolved from the first and third. As I have indicated, Ontario Land Corp. will raise money and assemble land but it will not develop the land. Instead, it will in each case turn the land over to a special project corporation which will operate under the jurisdiction of one provincial ministry or another.
>
> For instance, land for the residential portion of a new town would likely be turned over to a special project corporation reporting to the Ministry of Housing. Land for a new residential park would be turned over ot a special project corporation reporting to the Ministry of Industry and Tourism. Initially the corporation would be financed by the province, but it will be empowered to borrow money

on its own account as new projects arise. There will be no equity shares. Having served as a source for funds for project corporation and having assembled land and turned it over to that corporation, the Ontario Land Corp. will recover its money as the project corporation develops the land and sells off or leases its holdings.

At an early stage in any new venture, the project corporation [And this is what we need a very substantial explanation from the Treasurer about] will be anxious to involve companies and individuals from the private sectors as developers, owners and tenants.

It goes on at considerable length. I am not going to read any further from the statement of the Chairman of the Management Board.

The point which I made when I originally stood on my feet was the nature of the substantial comedown and the unanswered questions with respect to the nature of the project corporations, and how they are going to be incorporated. Are they going to be incorporated by special bill brought into this assembly for debate? Are they going to be incorporated under the Business Corporations Act so that we won't know about them? What is the relationship of the particular government ministry to be to the special project corporation? I assume, other than for the purpose of repaying money to the Ontario Land Corp. there is nothing in any statement that I have read about the Ontario Land Corp. that would indicate that the Ontario Land Corp. is going to participate in these project corporations.

There has just not been a definitive fundamental statement by the Treasurer of the nature of this decentralized operation which he has put before the assembly for debate today. There is very little that can be gleaned from the bill itself. We can debate that point when the bill is before the standing committee; I am certain the Treasurer will be sending it out to the standing committee, so that the representatives of the Investment Dealers Association and the developers whom he consulted in private will have an opportunity to meet with members of the assembly, so that the bill can be talked about in some substantial detail, so that we can have the benefit of the kind of informal discussion with the Treasurer which will be necessary, so that we can get some grasp of the kind of corporation and the kind of activities and the demarcation points between the land corporation, the special project corporations the ministries to which they are related and the municipalities with which they will be involved because of the nature of the location of the special project corporations in those municipalities. We need a standing committee because the members of the provincial-municipal liaison committee or any of the municipalities who are interested in this project can come forward and speak to the members of the assembly about it.

Just to underline the limitations which are now imposed by this bill on the Ontario Land Corp., I refer to the objects clauses. There is no reference to developing land. There is no provision in here for putting serviced land at the disposal of Ontario Housing Corp. There is going to be no provision for this corporation putting serviced land at the disposal of some industrial park in co-operation with some municipality.

The section says:

(a) The objects are to purchase, lease, take in exchange or otherwise acquire lands or interests therein, together with any buildings or structures on the lands [or, colloquially speaking, to buy land.]

(b) To sell, lease, exchange, mortgage or otherwise dispose of the whole or any portion of the lands and all or any of the buildings or structures that are then or may after be erected upon the lands and to take such payments or security therefor as may be necessary or desirable.

That object for practical purposes is to sell land. Then there is the further power to lend and invest money on security of real estate and then to subscribe for securities of any government or municipal corporation or of any corporations whose objects include the buying and selling of land.

For practical purposes the result is we have a corporation that in any real sense of the statements which were made by the Chairman of the Management Board and what the bill itself says is limited to the buying and selling of land. That's what it's involved in.

We have to have from the Treasurer at the end of this debate a very full, compendious, but laconic statement of just how he intends to have this operation carried on as distinct from the operation that was envisaged in the grandiose terms of the budget debate. Within those contexts, we will be very interest in what the minister has to say, Mr. Speaker, on this bill.

An hon. member: He says the right things.

Mr. Speaker: Does any other member wish to take part in this debate? The hon. member for Ottawa Centre.

Mr. Cassidy: Yes, Mr. Speaker. I am sorry you call this a debate because one of the frustrating things about handling a bill like this is the Legislature—one of the most important bills to come before us this session—is the fact that there is no debate. The minister sits and listens while the Leader of the Opposition, the member for Riverdale and myself make some comments. He will make his remarks at the end of the date—

An hon member: And others.

Mr. Cassidy: Maybe others from the Liberal Party will take part. It would be nice if a few members of the Conservative caucus were to get involved in this particular debate and indicate how they felt about the minister's proposal.

But alas, there is no such thing as a debate on so many bills in this House, Mr. Speaker. It's simply a dialogue of the deaf in which we state our views based on the very inadequate information that is given to us and then we sit back while the minister, like a kind of absent-minded tutor—

Mr. R. F. Nixon: A dilettante is more like it.

Mr. Cassidy: —tells us what he really thinks he had in mind and chastises us for not grasping what he had never told us in the first place. That's the kind of situation we have.

I'm upset by this bill as well, Mr. Speaker. I am upset by it because for three years, ever since I have been in the House, it seems to me that one of the major debates we have been having, certainly between this party and the government, has been over planning, over land use and over who controls land, particularly urban land, in the Province of Ontario.

We have taken some stands that have been pretty different from those of the government, and I think that time has shown that the policies of the New Democratic Party have been pointed in the right direction.

The government seems to indicate that by the fact that on so many occasions it sort of moves half-heartedly in the direction in which we have put up the signposts. What has bothered me, as speaker to this minister on so many bills, has been the mutilated fashion in which the legislation comes forward. This is no exception. That has even led us on occasion to oppose bills which attempted in a halfhearted fashion to implement things which we have been urging the government to do.

On this particular occasion, despite the defects of the bill, Mr. Speaker, this question of public land ownership, and the desperate necessity for public control to replace private control of the urban land market which could be implemented by use of this Ontario Land Corp. if the government saw fit, leads us to a position were we can't oppose the government. All I can do in the course of this debate is tell the minister yet again that he isn't really grasping the problems that exist in the province right now.

His inadequate kind of grasp of the need for planning and the inadequate linkage between the Ontario Land Corp. as proposed and the planning that ought to have been under way in the province by now is something for which we will pay and for which future generations will pay. The mistakes of this minister and this government will go down in history and our children and our children's children will pay the consequences of the fact that back in the late Sixties or back in the 1970s the Conservative governments of the day could not come to grips with land, allowed land prices to get completely out of control and were unable to take effective steps to cure it.

Obviously, one of my major disquiets with the bill, Mr. Speaker, is simply that we have only the vaguest of ideas of what the minister is about. His statement about the bill before the Legislature back on Nov. 7, a month ago, and the comments made by the Chairman of the Management Board before the Property Forum '74 were to say the least contradictory with what has actually been taking place in steps which appear to be the first moves made by the Ontario Land Corp. in advance of its actually being created.

May I say, Mr. Speaker, it alarms me that in the minister's mind the land corporation has actually existed since some time in the spring or during the summer. The ministry documents have referred to the land corporation as though it were already in being, and ministry actions have been taken as though the land corporation already existed.

It was back in the spring when the minister had that meeting with the investment people, and he proceeded to put forward to them a series of rhetorical questions about what this land corporation should entail. Those questions, Mr. Speaker, are not answered in the bill, have not been answered by any statements made by the minister and,

in the main, have not been answered in other ways by the government, either.

As the hon. member for Riverdale pointed out, the new corporation has been stripped of its powers to develop land. The other ministries in the government simply didn't see that as being on. It threatened their own little empires too much, and, therefore they could not see fit to grant that particular power to the Ontario Land Corp. Dare one say that maybe the government's developer friends also saw to it that the Ontario Land Corp. would not have the power to develop land? They wished to have the whip hand on the development and they wished to have little project corporations to push around, rather than have to deal with a body that might be bigger than they were.

The question of new towns was mentioned by the minister: We don't know where, we don't know when, we don't know how many. All we have is the blue-skying, if I dare to use the word, of the Treasurer at various places across the province, but nothing more specific than that.

Back in July the minister was quoted in the Globe and Mail as saying that he didn't think it would be unreasonable to expect two million people to go into new towns before the end of the century. That presupposes a very substantial number of new towns. We don't have a plan across the province to know where those particular new towns are going to be. We do have the Treasurer shooting from the hip and acquiring land in a sort of offhand fashion, at the cost of millions of dollars to the public Treasury and in advance of the creation of the Ontario Land Corp. But it is not in the context of any plan that I can see.

Back at that time as well, the minister talked about the possibility of putting into northern and eastern Ontario industrial parks that would be filled with plants attracted by serviced land being sold below cost. It's not clear, to put it mildly, whether the land corporation will be capable of selling land below cost or whether, as appeared to be the drift of the minister's thinking, it's got to be a self-financing body that at least prepays its own expenses, even if it doesn't make a profit. That question has not been adequately answered. But the blue-skying of the minister is at odds with the way in which the corporation appears to be developing.

As the hon. member for Riverdale pointed out, the new financial instruments that the minister was at such pains to seek from the finance industry have not yet materialized. If they had, it seems to me that the only honest way to deal with this Legislature would be for the minister to have talked about those kinds of things before bringing in the legislation, rather than waiting until our party and the Liberal Party had made their comments on the bill before unveiling anything that he may happen to have under his sleeve.

I'm still quoting questions that the minister put out in his platonic way before the financial people in June or July. The question of the "appropriate government relationship," as he calls it, I will come to this in a few minutes. But the bill digs back into British experience with Crown corporations and public corporations of the 1940s, into something that was drawn, I suspect, straight from the pages of Herbert Morrison.

Mr. P. D. Lawlor (Lakeshore): They were supposed to get 20 names on to it.

Mr. Cassidy: It permits written direction from the minister, whoever that will be, to the corporation, but nothing more. And it's very difficult to see how the use of written direction alone will be sufficient to make the corporation an instrument of government policy.

If it's not going to be an instrument of government policy, if it's just going to work completely on its own, then frankly that is not the way that the New Democratic Party, as a government, would handle the Ontario Land Corp. If the corporation is to deal within a broad framework of government policy and is to be subject to the most occasional written direction, which is the practice used in these corporations in Britain, then that makes it very difficult for it to be responsive to changes in government policy and changing priorities. If, on the other hand, the written directions will descend in an avalance from the minister to the corporation week after week, then we may as well not have the independent setup that is being proposed.

"Should the corporation be at arm's length to government?" asked the minister. Well, we don't know. The minister says that most of the directives probably will come from the private sector, but that still doesn't say whether the one or two or three directors coming from his ministry or from the realms of government—

Mr. R. F. Nixon: Or from the Tory caucus.

Mr. Cassidy: Or from the Tory caucus—whether they will have an overriding say

or whether they will be simply one vote in 12 or however many directors there are. We don't know that. That has not yet been spelled out.

What role might the government have in the board of directors? The minister hasn't spelled that out. All he says is that government appointee who come from within the civil service or the Legislature may have from between one to 12 of the positions on the board.

He has answered a question about whether subsidiary corporations would be established to develop commercial portions of each new town. Well, that has been partially answered by the talk of project corporations, but the way in which joint ventures will be organized has not yet been elaborated. Frankly, Mr. Speaker, I think we need that kind of elaboration because of my fear and the fear of many of us on this side and of many people in the province resulting from their experience of this government, which is that this government is too damned cosy with the private development industry, and if it is given the chance to set up joint ventures, we will find that the government will take the risks and the private developers will get all the gains.

What type of management structure is going to be involved? Well, the bill simply says that they can hire public employees, they can hire under the Public Service Act, they can hire on contract or they can hire outside. The options are all open. The questions that the minister posed last spring are not answered.

What are the problems in the transfer of the responsibilities of a new town corporation to a municipal structure of government? The member for Brant and the member for Riverdale both touched on this in their speeches. Those transitional problems are clearly of concern to people at the local government level, but those questions have not been answered by the ministry; clearly there has been no bringing of the public into its confidence. There has been no process of consultation that could have taken place in a very genuine way.

I would have liked to have seen these questions put forward, not only to 20 or 50 people in the investment banking business and not just to the 15 or 20 people on the PMLC—there to be discussed over a period of half an hour or, at the most, the hour or so that can be given to any particular subject at the meetings of the PMLC—but on a much broader basis right across the province. But that hasn't been done.

If the minister had said along the way that these questions are still moot, but we have got to go ahead and get the legislative vehicle and therefore we want to carry the legislation now to set up the Ontario Land Corp.—if he had been open with the public in that way, I think he could have come to this Legislature with more prospects of wholehearted support from our side of the House.

I recognize that not all of the questions he was posing last June or July could have been answered by Dec. 12, but it seems to me that the embarkation on dialogue should have begun at that time, rather than being compelled to come out of the minister at this time. I am sure he will say that he is open for all sorts of input.

"We would be delighted," the Treasurer will say, "to have the views of anybody in the province or anybody else as well. I know that this is an intellectual problem that has intrigued academics and people in administration in Britain, Australia, Canada, the United States and other jurisdictions, and we would very much appreciate having advice from other parts of the world as well.

"In fact," he will say, "we are going to spend $20,000 and get somebody to go and canvass some advice because the member for Ottawa Centre and others think it would be a good idea." And he will agree and look quite magnanimous in so doing.

But the question, of course, is why in hell's name do we have to wait until this time for the minister to even embark on looking at those particular problems? Why does the Treasurer play such a close hand? Why is he playing for high stakes without bringing this Legislature into his confidence, without bringing the public into his confidence, without even bringing, as one understands, the cabinet into his confidence when he goes ahead?

Will the corporation's share and debt capital be structured so as to be exempt from taxation as a Crown corporation? We don't know that either. I am not sure what the question means. I am not sure if he was looking for a tax-free kind of instrument as exists in the United States. But if so, I think it was incumbent on the minister to float that idea beforehand and not as this is being debated.

What type of securities might the new land corporation offer to the public? The one thing we clearly know is that the land corporation will be a segregated form of financing, in the same way that Hydro was a

segregated form of financing. And since the investments will be in land, that is an approach with which we are not in disagreement.

However, the type of securities that will go ahead is something of which we have very little information, beyond the knowledge that on instruments of less than five years the corporation will be engaged to work in the short- to medium-term money market without having constantly to go back to cabinet for approval of new issues.

The role for joint, private and government development and for funding on an individual corporate basis, again, is not answered by this ministry.

The questions about non-profit housing that the minister put forward and I won't go through them all again were not even touched upon by the minister.

I, too, had hoped that this bill would go into standing committee so that for a couple of days next week, if for no longer, we can look into it and we can have input from the outside. In fact, I would suggest very seriously to the minister that—since he has not, apparently, been impeded in the acquisition of land at Cayuga or at Spencerville, or other parts of the province by the lack of the Ontario Land Corp.—he seriously consider letting the bill stand in committee on the order paper over the Christmas break in order that we can hold two or three days of hearings on it in January, when we are apparently going to come back. At that time, people will have had full opportunity and full notice and maybe they may have had some more specific declarations of intentions from the ministry to which they may react in considering the details of the bill.

The questions about mortgage money were not answered. The questions about the commercial aspects of industrial parks, again, in my view, were not answered. The ministry is saying that the new land corporation will be going into eastern and northern Ontario to set up new industrial parks. It appears that its first venture is in Spencerville, where it will suck growth away from established communities in eastern Ontario. The question there arises that if the new corporation is meant to operate on a break-even basis, or something better, what will it be doing that private developers cannot be doing in this particular field; or will it sort of be breaking even, and then guaranteeing the risks so that the private developers can take away the gravy?

Finally, there is a point which we thought about, because of our policies concerning land, Mr. Speaker. That is the question of what effect the new corporation's entry upon the financial markets is going to have on the market for Hydro bonds, on the market for rollovers of the Province of Ontario bonds, and other forms of provincial financing. Those questions have not been seriously engaged upon by the minister up until now.

You've got a vehicle here, John White, but we don't know where it's going to go.

Mr. Speaker: Order, please. Will the hon. member refrain from referring to the ministers or other hon. members by their first names?

Mr. Cassidy: We have a vehicle here, Mr. Speaker, which could be called John White's dune buggy.

Mr. Speaker: Order, please. The member will refer to the minister as the hon. minister.

Mr. Cassidy: I'm not speaking to the minister now though. I'm saying that we could call the corporation John White's dune buggy—do you see? But we don't know where it's going, Mr. Speaker.

Mr. Lawlor: Oh, come on. He committed a sacrilege. The only sacrilege in the Legislature.

Mr. Cassidy: Let me take up this question about planning, Mr. Speaker. There is no provincial plan right now. The kind of notes for an exegesis of a sketch of a provincial plan, which the minister promised to use a few months ago, are not yet forthcoming.

When the Toronto-centred region plan was issued three or four years ago now, the province talked specifically about encouraging growth to the east and north of the province. Coming from eastern Ontario, I have seen very little, if any action to implement that—and the minister may have remarked my comments upon that several times.

The actions that have been taken, apparently on behalf of the Ontario Land Corp. have not been taken in the context of a public plan. Or, if they are being taken to implement a plan which the minister has up its sleeve, then, clearly, the plan is a perverse as you can predict, Mr. Speaker. Any plan that provides for two new satellite communities within 20 miles of each other in Haldimand county—down on the borders of Lake Erie, down near the land route between the midwestern United States and the eastern seaboard of the United States— on that new industrial corridor that the government seems

hell-bent on trying to create, is clearly not going to do a heck of a lot to encourage growth to the east and to the north of the province.

Granted, it has been suggested the corporation may become responsible for the land that's been acquired in the North Pickering townsite. But the population projections for that townsite are as low as around 70,000 to 95,000, according to provincial planners in the Ministry of Housing who are now working on the site. That clearly is not a major leap eastward as far as growth in the province is concerned. The thrust of the big land acquisitions made by the province and by Ontario Housing Corp. has been to the west and to the southwest, and in no other direction. It just seems nuts, as far as we are concerned, that there isn't a provincial plan after 30 years of trying on behalf of this government, and that the acquisitions and the actions of the Ontario Land Corp. are not pegged to the plan when the land corporation starts to acquire land.

Not only that, Mr. Speaker, but if a provincial plan existed, bearing in mind the fact that you can't wait for 10 years before you decide whether or not to acquire a particular piece of property, one would have assumed that the cabinet at the very least would have been consulted and that techniques would be devised in order to ensure that municipalities and other people who are concerned could also be consulted about the direction of growth and about major steps such as large land acquisitions which would affect the future pace and direction and type and quality of growth. Not a bit of it, as far as the Minister of Economics and Intergovernmental Affairs is concerned, however. What we've seen right now is nothing less than an irresponsible series of actions by a minister who has an inflated sense of his own importance and a complete contempt for consultation even, apparently, within his own cabinet.

If I can make a specific reference, Mr. Speaker, I guess the minister will be telling us a bit more about Spencerville during the course of this particular debate. But enough leaks have come out of this place to make it pretty certain that Spencerville is either being acquired on account of the government or that it is destined for the government because of some kind of "lunch at the Albany Club" type of agreement which has been made between the minister and one or two of his people and the parties that are acquiring the options in the Spencerville area.

I'm afraid that no other explanation is adequate, given the fact that the options for 10,000 acres there are in the order of $500 an acre. So $5 million is involved, a sum which is only realistic if there is a buyer prepared to wait for an awfully long time, prepared to hold land which is not even along the St. Lawrence but is set back from it, and who feels confident that he can get planning permission from the local municipalities, the servicing provided, the dockage and the other facilities in order to make the land there acceptable for industrial purposes.

My information, Mr. Speaker, about both Spencerville and the Cayuga assembly down in Haldimand-Norfolk is that the minister and one or two of his close associates or cronies or advisers—perhaps I should use the word "advisers"—decided that those lands should be acquired, gave specific instructions to people in the private sector to go and acquire the options and tried to go forward with what was in their view a clean, neat kind of deal. In the case of Cayuga I suspect it may have been because the ministry's original land acquisition was going badly, land prices were skyrocketing and there may have been a panic and a feeling that no townsite would be acquired at all if the ministry didn't do anything.

What has happened instead is that two townsites have been acquired, each capable of holding a population of at least a quarter of a million, in an area which only needs one townsite that will grow to about a quarter of a million by the end of the century. That may not be completely crazy, but it certainly seems a bit bizarre that now we have two townsites within very close proximity to each other, when the government, in fact only needed one. It has a commitment of $44 million instead of $22 million and now has a situation where the local people, —who, as we predicted, are just about dazed by what's been happening and by the kind of urbanization which they face within the next few months, let alone the next few years—are now being told by the minister to decide over the course of the next month which of the two townsites they would prefer to see developed first. This they are being told at the same time that the minister is putting forward elaborate Buckminster Fulleresque—types of projections about the dream city of Cayuga, a world competition, Brasilia on the Erie, and that kind of thing. But he is also telling people in the area that they can decide within a month which townsite to have.

Frankly, to tell people in the regional municipality of Haldimand-Norfolk, who have only had a planner on their staff since, I think, April of this year, who are only beginning to come to grips with the kind of rapid economic, physical and social change that faces them with the major urban developments that are down there, that over the Christmas season — when one might have thought they might have had just a bit of respite, time to milk the cows and time to enjoy their families and time to think about what it is they are about to lose through incursions of Ontario's planners and Ontario industrial development—to tell them to make that kind of choice is no choice at all. That's a shabby, inadequate kind of consultation for the minister and for the government to indulge in.

The minister can tell us whether or not the cabinet was consulted as far as the acquisition of Cayuga is concerned. From what I have been hearing, if he acquired it on his own it's not untypical, because all sorts of ministers, I understand, are so fed up on the cabinet process over there that they are making decisions on their own and not bothering to consult with their colleagues.

Hon. Mr. White: That's ridiculous.

Mr. Cassidy: It may be ridiculous, but that's what I've heard about a number of ministers who have just become totally frustrated with the process and have decided that they will make announcements on their own.

Mr. J. A. Taylor (Prince Edward-Lennox): All the member's information is false.

Mr. Cassidy: All right, what does the member know about the cabinet then?

Mr. J. A. Taylor: I hear just as much as the member.

Mr. Speaker: Order please. I find the hon. member's comments very interesting, but somehow the Chair can't relate them all to the principle of the bill. Would you return to the principle, please?

Mr. Cassidy: Mr. Speaker, the Ontario Land Corp. will be acquiring one of these townsites in Haldimand-Norfolk about which I am talking, and I am talking about the process which the decision was made to acquire the land there.

As for Spencerville, if the cabinet was, in fact, informed that the Treasurer intended to acquire 10,000 acres through the same option technique carried out through a private real estate company in the Spencerville area, then clearly both the Minister of Housing and the Minister of Industry and Tourism were out to lunch. Not only were they either not present or not aware of what was happening when the matter was discussed in cabinet, but one has to go further and say something is wrong, really rotten in that cabinet, when the Treasurer can't take the member for the area and the Minister of Housing aside and say, "Don, look, don't get too upset about what's happening in Spencerville; it's all in the cause," and when he can't take the Minister of Industry and Tourism, who has a certain interest in eastern Ontario as well, aside and tell him that it might be wise if he stopped making comments such as, "The land is too expensive for us to afford," or "It's crazy for us to go in," and the other comments that that minister had made.

Before going in to this land corporation, Mr. Speaker, we should have a clear statement about what Spencerville means. As far as eastern Ontario is concerned, there are very real concerns in that area because the eastern Ontario plan hasn't yet been published. We've had a series of shoddy options put forward in a kind of grade 10 planning document that was eventually produced by the ministry, like a mouse produced by the mountain.

People in the area are concerned about the survival of and about a certain amount of growth in their particular communities. Some would like to see every community over 2,000 continue to grow. Others recognize that it has to be only certain communities that can survive or that can grow rapidly while the others maintain a residential function. But they are still saying it doesn't make sense that in eastern Ontario people might have to drive 30 or 40 miles in order to get to jobs in a new industrial park; that it would make an awful lot more sense if people were put within access to jobs in their major communities, such as Hawkesbury and Cornwall, Brockville and Smiths Falls, Renfrew and, say, Pembroke; given the option, in other words, of whether industrial growth would take place in five or six selected growth points in the eastern Ontario area or whether it would all be concentrated in a new industrial park with subsidized land that would suck dry any effort by Cornwall or by Brockville or any other community to get new industry into its own bailiwick.

If industrial development goes into Spencerville, what is the ministry going to do about the tax mix for communities like Brockville and Cornwall which will obviously be affected? What's the Treasurer going to do when the new mayor of Cornwall comes

along and says: "Look, we have been doing better in the last year and one half. But clearly people are still upset by the situation —witness the election of the new member for Stormont (Mr. Samis). Clearly they know that it's not enough and now, rather than taking action to continue to provide a few more jobs for Cornwall, you are sucking us dry in putting growth down into the Spencerville area which is a good half hour or more commuting at $3 a trip each way for each of our workers that drives down there, since there is no public transportation to speak of?" Now that's crazy.

That's the kind of situation which the minister appears to be imposing or to which the minister appears to be acquiescing with this land acquisition at Spencerville which I gather is to be taken over by the Ontario Land Corp. We should talk about Carlsbad Springs, which is a federal-provincial land assembly that might also eventually come under the wing of the Ontario Land Corp. What we have there, Mr. Speaker, is a situation where the province proves completely incapable of providing any leadership or exerting any pressure or putting on any influence in the area in order to make the case as to why the satellite community at Carlsbad Springs should be developed ahead of other areas of land that were owned by developers.

Curiously enough it was people who were good friends of the Conservative Party, such as Controller Garry Guzzo of the city of Ottawa, a man who was the Conservative candidate and almost the Conservative member for Ottawa Centre in 1971, who worked on the regional executive and on the regional council of Ottawa-Carleton in order to ensure that a low priority be given to the federal-provincial land assembly at Carlsbad Springs and that a high priority be given to lands owned by developers in the south end of the Ottawa-Carleton region south of the city limits of Ottawa. They saw to it that the developers were served, and these were people who are in philosophical and in political alliance with the people of this particular government.

There was no leadership by the government in getting Carlsbad Springs off the ground. There was no pressure by the government on its friends up there on the local councils to get them to toe the line. Oh, no, to the contrary, the government acquiesced while its friends in Ottawa did a good turn to the developers.

These are questions that have all got to be raised, Mr. Speaker. In the case of the new York-Durham servicing scheme, which will incidentally service the new town of Pickering and which presumably will come under the Ontario Land Corp., there will be the servicing of something like 680,000 people, in fact, quite possibly more, as a result of this particular scheme. Of those people, only 70,000 or 80,000 will be on publicly owned land in Pickering. That land is intended to be farmed back through into the private sector, according to statements the minister has made.

In other words, 80 or 90 per cent of the land which lies up there and which is mainly in the hands of developers and of speculators, including cabinet ministers and other people in this government who have played those games in the last two or three years, is to be left in private hands. The enormous increase in value that is accruing to that property because of the central York servicing scheme, a government scheme, will go into private pockets. There has been no statement of policy that the land will be predominantly controlled by the Ontario Land Corp.; that is, that the public will take control and will ensure that if there are accretions of value they go into the public pocket and not into private pockets.

Mr. Speaker, the minister is shooting from the hip. He doesn't seem to have an approach to planning. He sees some land by a bridge near Spencerville and he says go ahead. He sees something in Cayuga and he says go ahead. Stelco tells him they want a new town and he says, okay, we'll go ahead. That's the minister's approach. There is no evidence at all of any further consultation.

Just the other day, when I was trying to find out when this bill would be coming forward, I talked with the assistant deputy minister in the minister's department responsible for urban and regional planning on the Metro level. He is responsible for preparing the provincial plan, among other things, and I said: "Do you know anything about the Ontario Land Corp.?" And he said: "No, the assistant deputy minister responsible for economic policy and for the financial operations of the government has charge of that." Clearly, there had been no particular consultation there, to boot.

Mr. Speaker, now I would like to try and come to terms with the bill on a more specific kind of thing. We have a bill here which is a skeleton bill, and I have stated rather reluctantly that we will support it, because it is essential policy of the NDP in Ontario that public authorities should have control of

the land market around our major cities, and a vehicle like the Ontario Land. Corp.—

Mr. T. P. Reid (Rainy River): Just around the major cities?

Mr. Cassidy: Yes, around the major cities.

Mr. Speaker: Order, please.

Mr. Cassidy: Well, okay. I know that the Liberal Party is at odds with that, because their leader has just said that they can't support this kind of a body. The Liberal Party is clearly somewhere back in the 19th century. They really think that it's possible to kind of unwind all of the growth that we have had in this province over the last 20 or 30 years. And this is despite the fact that they have been, for the most part, its uncritical supporters over that period of time. Now they find out what's being destroyed. Now they find out the value—

Mr. Speaker: Order, please. I wonder if the hon. member would direct his comment to the principle of the bill.

Mr. Cassidy: I certainly am, Mr. Speaker. I am pointing out, though, that in the course of the debate it is justifiable to talk about comments made by other members of the House. And the Leader of the Opposition indicated that his party is not at one with the principle that there should be very substantial public land holdings. We believe that that's the case.

Mr. Reid: That is not what we said at all.

Mr. Cassidy: What? If the Liberal Party opposes this particular bill—

Mr. E. R. Good (Waterloo North): That is not what we said at all.

Mr. Cassidy: —then it means that as far as they are concerned, they simply will not go ahead. Sometime at the turn of the century they might decide that there should be a few thousand acres to come into public land ownership but nothing more.

Now, what is needed, Mr. Speaker, is a much more solid determination on the part of the Ontario government that the major part of land coming into development around our cities will be in public hands.

One of the points that needs to be made about this bill—and that I hope the minister will answer, is just this: If the government leap-frogs to acquire a land at Milton, or if it leap-frogs to acquire a land at Carlsbad Springs, or if it leap-frogs to acquire a land down in Haldimand-Norfolk or at Pickering, that in itself is not unjustifiable. But the land-banking game for the next 10 or 12 years is basically over. Because the land-banks around our major cities now are held almost entirely by small groups of major developers and by people with whom they enjoy close corporate links.

If this government intended to bring urban land under public control and to bring the land coming into development under public owership, then it would take steps to ensure that the land held by major developers around our cities came into public ownership, and that it came into public ownership at a price which was related to its acquisition cost, not at the inflated values that are now created because of the oligopolistic control of that land market by a few major developers. And that's a step that I am afraid that the government is simply unwilling to take.

When the Treasurer goes ahead with this particular bill, how is this corporation going to serve as a vehicle of government policy? How will those instructions in writing be carried out? Who, in fact, specifically will be the minister to whom this land corporation reports? If it is not the Treasurer, and if it is not the minister who is responsible for planning, then how on earth would the land corporation's activities be integrated with planning activity across the province?

Why is the Treasurer bringing in such a skeleton bill as this, and why can't he give us more details about what he is intending to do? Why is it that he has been forced to water down the bill, as the member for Riverdale has pointed out, to the point where this corporation will not be able to develop land under any circumstances, but will have to set up project corporations in order to do so? It seems to us that that will probably tie the hands of the corporation in certain instances and make it a less effective body than it could have been otherwise.

If we allow developers or developers' appointees to be the majority of the members on this particular board, Mr. Speaker, then what assurance have we got that they are going to act in the public interest and not in the interest of the place from whence they came?

Why is it that the minister goes ahead with the anachronistic theory that members of the Legislature should be members of this particular board? Now, that's nuts. We've been fighting that for a long time, and it should not be perpetuated in a new bill. If the minister thinks that he himself, in his capacity as minister, should be on the board of the

corporation, then that's fine. But I don't think that anybody as eminent as the member for Haldimand-Norfolk (Mr. Allan) or as inutile, if I may say so, as the member for Middlesex South (Mr. Eaton) should be put on to the board of the corporation. This idea of putting back-benchers on as a kind of political reward should not be permitted.

Mr. Speaker, we are very concerned about the fact that this corporation will operate almost completely away from any kind of legislative control. In the first place, presumably the subsidiary corporations are not, according to the minister's intent, going to come back for legislative sanction. What they do will be decided in board rooms by people used to dealing in board rooms, and not by people used to dealing in the public trust. The requirements for disclosure are quite inadequate. The requirements for reporting are quite inadequate. The annual report mechanism we know is a farce, and the publication of accounts is going to be very much delayed.

Not only that, Mr. Speaker, but the people who may be appointed to this board are cronies of Cadillac, Fairview and the other major development corporations active in the province right now and who have contributed very substantially to the Tories—at least, their cronies are permitted to come in.

The conflict-of-interest regulations should be much tougher. We should not be in a situation where people who have access to private corporations will also have access to and be privy to the information that goes around within the Ontario Land Corp. In particular, the situation that permits a director, officer or employee of a private corporation, including a developer, to be on the board of the Ontario Land Corp. and to vote on everything that that corporation is doing, without even having to declare conflict of interest, is totally unacceptable and must be changed, Mr. Speaker. It's another reason why I hope that this bill will go before the standing committee.

There is no provision that interests be declared and made public at the time that the directors go on to the board. But that should be there. Since the minister is coming in, I'll just repeat for him that the idea that a director or an officer of a development company could be on the board of this corporation and not have to declare his interest under any circumstances is nuts. It obviously was an oversight—I hope it was an oversight—in this particular bill, and I hope very strongly that the minister will bring in an amendment in order to change that, because it is one of the chief weaknesses we find in the specific technical details of the bill.

Mr. Speaker, if I can talk a bit more about the question of the link with developers, the cabinet—if you will forgive a short digression—is faced with a very difficult problem right now. In the hearings on the city of Toronto's 45-ft height bylaw, there was Ronald Rolls, QC, and an assistant up against 25 QCs, and as many assistants or more, representing the development industry. The elite of the legal profession was there representing the elite of the development industry, most of whom have also got very close links, financial and otherwise, with the Conservative government.

Now comes to the cabinet an appeal, from which I frankly suspect every cabinet minister would have to absent himself on the grounds of conflict of interest, because of the source of some or all of the election funds that were given to him or her for use in their particular campaigns. The world being what it is, the cabinet will apparently try to make a decision on that, and they will try to come to grips with that; but here they have the tiny, perfect Conservative mayor of Toronto asking them to uphold the decision made democratically and wholeheartedly by the Toronto council, and the OMB, as the lackey of developers, telling them to go the other way.

Mr. J. A. Taylor: Shame on them.

Mr. G. Nixon (Dovercourt): Terrible.

Mr. Cassidy: Mr. Speaker, the member for Prince Edward-Lennox and the former member of the Toronto council should read the judgement of Mr. Shub et al of the Ontario Municipal Board because of the way in which that body completely, uncritically sided with developers; the way in which they attacked the reputation of one of the finest planners now operating in Canada, Mr. Barker; the way in which they chose to attack a planner because they didn't quite have the guts to attack the democratic decision of the Toronto city council; the way in which they ignored the fact that the Toronto council made that decision, held by that decision ofter consultation, consulted with the public and so on—all of that thrown out the window. Yet the OMB was able to say at the same time that Norman Pearson of western Ontario, who was a developer's agent in these particular things, was an eminent planner; and that Neil Wood of Fairview should be listened to because of the fact that he had $800 million worth of projects and was

responsible for Eaton Centre and therefore that his opinion counted for something more than that of the democratically-elected representatives of the city of Toronto.

Interjections by hon. members.

Mr. Cassidy: I might say that the comments coming from the rump indicate that the Conservative government is far more at home with developers than it is with the people who are democratically elected to city council.

Mr. Speaker: Order please. I think we should stick to the principle of this bill.

Mr. Cassidy: Yes, Mr. Speaker.

Mr. J. A. Taylor: He hasn't any principles. The issue isn't the developers; the issue is the integrity of the Ontario Municipal Board.

Mr. Lawlor: That integrity is under question.

Mr. Cassidy: It is under grave question, Mr. Speaker, and I regret to say that, because I was a member of a committee that said that the OMB should be continued.

Mr. Speaker: Order please.

Mr. Cassidy: Okay, I won't go any further with that, Mr. Speaker.

Mr. Lawlor: Don't provoke him.

Mr. Cassidy: But the point that I made in general was that this government has got to be like Caesar's wife when it comes to questions of its relationships with developers, and that is a practice that it has found very difficult in the past and is very difficult for it in this particular bill.

The reaction from the back benches when I came to talk about developers, Mr. Speaker, indicates the difficulty the government has in freeing itself from a kind of identification with the interests of developers over and above the interests of the public at large and democratically-elected politicians.

Mr. Reid: Is the member for or against this bill?

Mr. Good: Does the member support the bill?

Mr. Cassidy: I said at the very beginning that we are supporting the bill. One of the reasons I said I was supporting the bill at the beginning was to guard against the risk that I might convince myself that we should vote against the bill at the end.

Mr. Reid: The member for Riverdale does it all the time.

Mr. Cassidy: That's right. He suffers from the same problem as I do.

The point I was making was that despite our grave misgivings about the way in which the bill has been put forward in its present skeleton form, the principle of a major public involvement in land ownership in and around the cities is too important for us to be able to oppose the bill, despite its defects.

Now I call on the minister, Mr. Speaker, to bring in amendments to this bill in order to ensure that people who are directors or officers of development companies, or who otherwise have active links with developers, may not be also members of the board of the Ontario Land Corp. It seems to me that otherwise your conflict-of-interest provisions are a dead letter and nothing more.

It seems to me too, Mr. Speaker, that the way in which this corporation is identifying itself with the private sector has some grave risks. Up at Malvern we have land that was acquired many years ago for $500 an acre, but is now being sold for figures of between $80,000 and perhaps $200,000 an acre, serviced, by the Ontario government under the HOME plan. The government has seen fit in that particular case to take the profits unto itself and to act as just another private developer and nothing more.

Mr. J. A. Taylor: That's not right and the member knows it.

Mr. Cassidy: Mr. Speaker, one of the fundamental weaknesses in the bill is the fact that not only is this corporation going to act as a private developer itself but it also has the power, and is going to be encouraged according to the policy enunciated by the minister, to get into bed with private enterprise, to put in the big pipes and then to ship the land back into private hands.

What we're finding out right now, Mr. Speaker, is that once we let the land back into private hands we'll never be able to afford to get it back again. The land which is being acquired in Haldimand-Norfolk for $2,000 an acre, or a nickel a square foot, is land which, when developed, may in fact be selling for $1, $2 or maybe even $3 a square foot. I believe that residential lots in the Toronto area now are selling between $3 and $5 a square foot, which is an incredibly high sum of money to pay for land that may have cost only a penny or two a square foot to begin with.

The fact is that the government is committing itself to acquire land, for let's say between a penny and a half and a nickel a square foot, and then to sell it off to developers at something which will be close to the break-even point—maybe 10 cents or 15 cents a square foot; we don't know—which will allow the developers to turn around and sell the land for $1, $2 or $5 a square foot over a period of time. That's nuts. We will never reacquire control if we buy it and then resell it.

Mr. J. A. Taylor: What the member is saying is nuts.

Mr. Cassidy: The member can read it afterwards and he can read it in the course of time.

Mr. Speaker, the member says what I am saying is nuts, to quote his words—

Mr. J. A. Taylor: No, the member said it.

Mr. Lawlor: Don't pay any attention to the member for Prince Edward-Lennox. He's a hogtied, purblind free-enterprise—

Mr. Speaker: Order please. The hon. member for Ottawa Centre has the floor.

Mr. Cassidy: One has to ask oneself, Mr. Speaker, whether the people, who are now buying into houses brought on to the market by the Minister of Housing (Mr. Irvine) at $42,000 for small three-bedroom units on the extreme outskirts of Metro, wouldn't have been better served if that land had been acquired publicly five years ago in order that those selfsame houses could now be coming on to the market for maybe $30,000 or in order that much better quality units could have been brought on to the market for $32,000 or $35,000 per unit.

One has to ask oneself whether the $10,000 or $12,000 that's being paid per unit for land speculation, and nothing more, is really a justifiable tribute to be made to the friends of the member for Prince Edward-Lennox.

We would ask the minister to remove from this bill the power to sell land back to the private sector. Take it right out.

Mr. J. A. Taylor: Get everything out.

Mr. Cassidy: We would suggest to the minister, if he is anxious that the land be developed quickly in certain new towns, that he look at the question of whether the servicing by private enterprise must be accompanied by the ownership of private enterprise. I would suggest very seriously to the minister that those two do not have to go hand in hand.

After all, when the Ontario Housing Corp., on a proposal call, gets Campeau, Assaly or some other company in Ottawa to build a senior citizens' apartment at an agreed price, the ultimate ownership of that particular unit is in public hands. In the case of certain of the HOME subdivisions, obviously the actual physical work of servicing has been done for the OHC by private companies, rather than by the ministry's own forces. That doesn't make bad sense. There's nothing wrong with that.

But the minister seems to be hung up with the view that if the ministry isn't going to shovel every shovelful of dirt for the new housing land and other land that is being made available, then the land has got to be given back to the private sector. Frankly, we would have hoped for something that was more innovative than that.

On new towns, Mr. Speaker, I would say to the minister that I would like to see us have a debate on the question of new towns in this House in relationship to the provincial plan and not in the vacuum in which it is now taking place. I've probably said enough about this in the past and at present without having to go into this any more deeply, but I would like to see that kind of process take place, and I would like to see the discussion about new towns take place on a public level across the province as well, in the context of discussions that are related to the provincial plan. But no, the ministry drags its feet, the advisory committees are all still aborning, and in the meantime the ministry itself is pushing on helter-skelter.

It really makes one weep, Mr. Speaker, to hear the Chairman of the Management Board, through the mouth of the Minister of Housing, on behalf of the Treasurer, say that the process related to the land corporation that has taken place since last April has been an open, democratic process of consultation with individuals and organization who were in the best position to provide the government with the advice it was seeking. Nothing reveals the class bias of the government, Mr. Speaker, better than the fact that the people whom it consulted—and the only people it consulted—were the investment community, the property industry and people engaged in development and in development banking. I just wanted to touch on that.

Mr. J. A. Taylor: He is getting mixed up with the speech of the member for Riverdale.

Mr. Speaker: May I draw to the hon. member's attention that the Chair has been rather lenient in the far-ranging sphere of this debate. I would ask you to come back to the principle of the bill on second reading.

Mr. Cassidy: Mr. Speaker, I'm sorry that you missed part of the debate, but I would point out to you that the principle of the Ontario Land Corp. is in itself very wide, sweeping and encompassing. I've spoken for about an hour now; I intend to sit down in about 10 minutes and I think that a reasonable kind of period for debate. I rather question the intervention of the Speaker, because that always has the effect of suggesting to the members that debate should be stifled and should not be full and free.

Mr. Speaker: The Chair will never stifle debate. However, we would like to have the comments directed to the second reading and not so far ranging as they have been.

Mr. Lawlor: Don't pay any attention to him.

Mr. Cassidy: Thanks very much.

Mr. J. A. Taylor: His mind wanders.

Mr. Cassidy: Mr. Speaker, the Ontario Land Corp. is presumably an emanation of either a partial land policy or non-policy on land, I'm not sure which. The minister may elucidate more when he gets up to speak.

There have to be two or three principles involved in a land policy. One of the things on which we've heard hardly a word from the minister has been the question of agricultural land. I know the people in Haldimand-Norfolk are very concerned. They can look at the Townsend site and they know that's good land; and that's one of the reasons they are now looking over towards Cayuga, because the land there is not as well drained and is not such good agricultural land as it is on the Townsend site.

The only comment he minister and his people have made is that they will not allow land acquired by the land corporation to lie fallow, but will ensure that it continues to be farmed. All right, that's very nice. If one supposes that in the next year or two maybe 30,000 or 40,000 acres may be acquired by the land corporation, that's a certain amount of land which will presumably then stay in agriculture.

But it was in agriculture already, Mr. Speaker, and when it's designated that means the ministry intends to take it out of agriculture. Those decisions about what lands are to be taken out of agriculture are not, I contend, being taken with a view to the best interests of the agricultural industry of this particular province.

What is needed as part of the land policy of this province, Mr. Speaker, is a commitment, such as the NDP government made in British Columbia, that in future we will preserve every acre possible of class one and class two agricultural land across the province, do everything in our power to ensure that farmland stays in production, take measures to ensure that land that has been taken out of production for speculative purposes is brought back into production; and if the owners are unwilling to bring that land back into production, then in fact we will use other techniques to ensure that land is used productively.

We face a food crisis, Mr. Speaker, which is world-wide and which threatens to become worse and worse. Yet here, if you drive around the outskirts of Ottawa, of Toronto or, I suppose of London or of Kitchener, you find acre upon acre of some of the best land in the province lying fallow right now because it is being held for development or for speculative purposes.

There is no policy, as far as the ministry is concerned. The policy that is required is not a policy that involves major acquisitions and major expenditures of money.

As far as we are concerned, in a policy of designating agricultural land and protecting it against urban intrusions, we would use the planning powers to do that, Mr. Speaker, and we would ensure that the farmers who were protected would also be guaranteed through some form of income maintenance against loss because of that. This is a means of ensuring that farmland stays in production, Mr. Speaker, and that is something this ministry doesn't have.

The second point—and surely the experience of the last few years and the incredible inflation we've suffered in land under a conservative government is witness to the need for it—is that it is our view we just don't need an Ontario Land Corp. that will go into Cayuga and that will violate the provincial plan all over the place. We don't need that.

What we do need is a commitment on the part of government to public land ownership in order that the increased land values that result from community growth and development should accrue to the public; and in order that, in future, the decisions about

urban growth are made publicly rather than at the behest of private developers.

This is something which the Conservative government in Sweden brought in 60 or 70 years ago; and which this government clearly endorses, in part, through Pickering and Cayuga and places like that. But they have not been willing to take the steps necessary to change the control of the urban land market from private to public hands.

We contend that that change must take place, and that in order to resolve all of our concerns about the environment, about affordable housing at reasonable cost—accessible to everybody in the province—about sound planning and so on, this government has got to accept the consequences of the planning that was embarked upon in this province back in the 1940s and move to a system of massive public land ownership.

Now that means that around our major cities the bulk of the land should come into public ownership over a period of time.

The third thing, Mr. Speaker, is that we need more than is provided for in this bill in order to permit public acquisition of land. Members may recall the Minister of Housing rather limply talking about the way in which land had been acquired in the Milton area, and why expropriation had not been used as a technique in that particular land assembly; and when, frankly, the situation cried out for either expropriation or some other technique that would have the same virtues without the nasty connotations of the word "expropriation." That technique of saying "Okay, we are going to buy this land; now let's work out a price for the expropriation valuation system"; is an awful lot fairer than going around trying to sign up options and trying to sort of shoulder the widower into selling out cheap—while the developer and the speculator, who know where the action is, get a better price from their land. It's a lot fairer to do it through an expropriation technique.

The Minister of Housing in relation to the Milton assembly Mr. Speaker, said that he couldn't use expropriation powers because they weren't broad enough; and I think he may have been correct. The Ontario Land Corp. is acquiring those particular powers. But it has still got to work behind closed doors; it has still got to send A. E. LePage out to acquire land; or else, all of a sudden, it's got to say: "Okay, we are blanketing this area with an expropriation order, which will cover all of North Pickering, all of Milton, all of Cayuga"; all of whatever new town it is intended to be created.

A new technique is needed in order to provide for a temporary hold on land prices, and basically on land dispositions, while public decisions are made about whether or not to proceed with satellite town developments or other public projects on that particular land.

In Quebec, the technique is known as homologation. It permits public authorities there to freeze land years ahead of use and then to acquire the land at a price that was related to the value at the time it was frozen. As for the landowners, if they don't wish to continue with the existing uses, they have the right to dispose of the land to the public authority during the period of time in which it is homologated.

We need a technique like that in order to permit large-scale acquisitions and public decisions about which townsites should be used; for example in Haldimand county. If both of those sites were homologated, were frozen for a period of six or eight months, then the new council could decide what to do. Once that decision was made, one site could be freed up and the other one could be acquired.

The savings from public land ownership, Mr. Speaker, are immense. The Dennis report estimated that in a decade alone we would save about $2 billion through the technique of public land ownership in this province. I suspect with the kind of inflation we are suffering right now, it could even be greater than that. And not only that, Mr. Speaker, but if the Ontario Land Corp. was active in and around urban areas, as well as in the new towns, we could ensure the land was used much more economically and effectively in support of provincial housing policies. We could bring back the $25,000 house rather than selling gimcrackery at $42,000, the way the Minister of Housing so proudly tells us he is doing right now.

Both servicing and land cost per unit could be cut very sharply if the Ontario Land Corp. were used in a major way and not only in certain selective situations. We could ensure the land was directed to co-operatives and non-profit housing groups rather than being directed solely to the private sector. But the minister won't have that. We could set cost ceilings on new homes, something the government is struggling with but has been incapable of bringing itself to do. And we could ensure that development was oriented to public transportation rather than to automobile types of transportation.

The final element, Mr. Speaker, in what we would do with this Ontario Land Corp., would be to ensure that people benefit not just now but also in the future from the savings that can be made through public land acquisition and development. I think it's fair to say that we could give the new corporation power to develop lands rather than hiving it off and giving the various ministries exclusive right to control the project corporations.

We say that the land owned by the Ontario Land Corp. should be put out on leasehold tenure and not on a kind of freehold tenure that allows speculators, developers and even homeowners to make unconscionable profits. We say that where land is given for commercial or industrial uses or for the ownership by large developers of rental property, that land and the property built on it should revert to the Crown at the end of 40, 50 or 60 years. In other words, it should come back to the Crown, buildings and all; because by that time the customers, the tenants, the purchasers, the people who bought the factory's products, the people who bought the firm's services, the people who bought the store's goods will have, in effect, paid off the mortgage and paid for that particular structure and therefore it's quite right that it should come back into public hands. It's a technique which is known in other countries and could certainly be used here. That's an innovative technique, but the minister is afraid to use it because it would offend his friends in the development industry.

We also say, Mr. Speaker, that the lessons of the HOME programme should be very carefully studied and applied in the development of Crown-owned land for residential development. We say specifically that when housing — condominiums, townhouses, single-family dwellings or whatever it is — in these satellite cities, the new towns on publicly owned land, is developed for residential purposes, there should be a lease with the purchaser of the housing unit. The lease should have an indefinite tenure that would permit the purchaser and his heirs and assigns—that is his sons and daughters and cousins and sisters and brothers and aunts—to hold that property as long as they want.

In other words, somebody who has a feeling—as I am sure the member for Prince Edward-Lennox has—that he wants his kids to have the chance of acquiring the property they have would not be barred from it by the terms of this lease. What the lease would ensure, though, Mr. Speaker, would be that at the time the owner wished to dispose of his property outside of his family he would resell it through the Crown, through the Ontario Land Corp., and at a price that would be related for the land to the purchase price and for the property to the original construction price of the property plus inflation that had taken place since that time.

Mr. Speaker, if I can give the example of Malvern, what this means is that land developed at Malvern three or four years ago on lots worth about $8,000 would revert to the Crown with the lot still worth about $8,000. The value of the house would rise as the construction costs have risen in Metro. Where you had a $25,000 package, when the person who owned it wanted to let it go, he would let it go back to the Ontario Land Corp. and then the property would become available again to people in roughly the same income group. If it was a young, beginning teacher who had been able to buy the house in the first place, what with the increase in incomes they would still be able to buy a house at maybe $22,000 instead of $18,000 with the land price that was still related to that original $8,000.

Mr. J. A. Taylor: That is part of the HOME programme—now.

Mr. Cassidy: It is not a part of the HOME programme right now.

Mr. J. A. Taylor: —that they lease the property now. They have to get a consent to convey from OHC in Toronto.

Mr. Speaker: Order please.

Mr. Cassidy: After five years, Mr. Speaker, under the existing HOME programme, the purchaser of the house can acquire the land, and once he has acquired the land, then he is free to do with it what he will. That means that in the Hamilton area, for example, home properties that were acquired for a total price for land and building of around $20,000 are now on the market for $40,000 or $45,000.

Now who benefits from that? Well the people who were fortunate enough to get into those HOME properties four or five years ago benefit, but working people—people who work on the CNR and in the steel mills of Hamilton and in the shops and stores in downtown Hamilton—who were able to get a house of their own, are now turning around and when they find they have to move on or their kids are grown up and they want to move into a smaller place, they are selling their properties, not to working

people and CN brakemen and steel mill workers and so on, but to foremen, junior executives, vice-principals and people of that kind of income range, because people who were doing what they did when they bought their homes can no longer afford the properties.

I hope that's clear. It's a difficult concept to explain, Mr. Speaker, but it seems to us in the New Democractic Party that we do need a lot of innovation in this field of land ownership and that the scheme which we have talked of as Crown-hold ownership is an important adjunct to the introduction of an Ontario land corporation.

If you bring in public ownership of land, Mr. Speaker, and the land corporation sells the land back to the private sector, ultimately you lose control of the land and we have the same situation as we have right now.

Interjections by hon. members.

Mr. Cassidy: Yes, that's right. What you have, quite simply, is another—

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Cassidy: What you have, Mr. Speaker, is simply another big developer which comes into the market.

Mr. Breithaupt: It is called the Ontario Land Corp.

Mr. Cassidy: I am afraid that what would tend to happen in that particular case, Mr. Speaker, is that the land corporation would then tend to bid prices up.

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Cassidy: Just as now, for example, it is paying $2,000 an acre down in Cayuga for land which is farmland and may be only worth $500 or $600 an acre. It is bidding prices up now because it is not using the proper technique.

I urge the minister to accept the consequences of establishing the land corporation; not to listen to the rather prehensile view of the Liberal opposition but to follow the sign posts which we have been consistent in putting forward to him, on behalf of the New Democratic Party, that he move, in addition to creating the land corporation, to giving it the necessary powers to ensure that public authorities have the major stake in the development of urban land that is coming onto the market in addition to the new towns, and that in future we do not alienate the birthright of Ontario citizens by taking publicly-acquired land and giving it back into the private sector.

I fear that the government is going to botch this one up, that the kind of pink Toryism of the minister is going to display itself again, and that the government is going to cosy up with developers on this particular bill. That's why it's with great reluctance that I say we are going to support the bill.

We nevertheless would like to see an Ontario land corporation in being. I think I have tried to lay out pretty explicitly how we would use it and it is in that sense and in the context of the NDP's policy are related to land that we will be supporting this particular bill.

Mr. Speaker: The hon. member for Kitchener.

Mr. Breithaupt: It is interesting to hear that the member for Ottawa Centre has committed himself and his party to the support of this piece of legislation. I think that this may well prove in years to come to have been one of the more important subjects discussed in this Legislature.

We have seen, as the various areas of government influence and involvement have come ahead over the years, the greater input into the land holdings and land development of the province, and now we have seen some 18,000 acres of land, which my leader has already referred to, already owned by various emanations of the government. So on one hand we have red Toryism meeting with what I presume is blue socialism that tells us that the land and the resources of this province should presumably be owned by the government of the province. The minister, involved now as chief planner and chief economist and chief expropriator, becomes really the Lord High Everything Else to the Premier as the Premier attempts to conduct the business affairs of this province as he sees them.

Hon. Mr. White: I wish I had a tenth of the power John Turner has.

Mr. Breithaupt: Well, perhaps if the Treasurer had 10 times the ability he might have 10 times the power, I don't know.

What we're debating here is a major tool to deal with the future of this province, and it's being done in an approach and in a way which we, in the Liberal Party, cannot support.

In a speech given by the Chairman of the Management Board of Cabinet on this subject to Property Forum '74 on Nov. 19, I read with interest that there were three particular models discussed as to how this could be developed. First of all, it could be a purely financial corporation. That would have been solely a source of funds for the province's land acquisitions. Secondly, it could be an omnibus corporation which would not only acquire land but service it and develop it, although not hold it in perpetuity. The third was to be a combination of the first two, a financial corporation which acquired land and then turned it over to its own operating subsidiaries.

Well apparently the fourth model is a combination of these three. This fourth model is going to raise money and assemble land, but it's not going to develop it. The development is going to be done by a special project corporation, presumably set up by the Minister of Housing, or perhaps by the Minister of Agriculture and Food (Mr. Stewart) in certain circumstances, or it may be industrial park development by the Minister of Industry and Tourism. But however it is, it's going to be in a way that will change drastically the growth patterns within our province.

I would like to refer to an article that Robert Williamson wrote in the Globe and Mail back in July of this year. His view was that more than any other single measure this is going to be the tool that will have the greatest single impact on directing the future growth of Ontario. I agree with that view, because I think that the minister, as he has attempted to allay those fears in the private sector, has found out that the business community of this province recognizes that this corporation will be the most important corporation that this province may ever know.

It may not do the things that we think should be done, but I dare say with the majority that the government has in this Legislature, it will receive the approval of the House. I tell you now, Mr. Speaker, that it will be approved, perhaps even with the support of the New Democratic Party, but not with the support of the Liberal opposition.

Mr. Lawlor: Oh sad.

Mr. Breithaupt: In the March, 1973, report called "Subject to Approval"—

Mr. Good: The member for Lakeshore is in trouble.

Mr. Breithaupt: —the Ontario Economic Council made the following observations, and I quote:

> In its work to date, the regional development branch has demonstrated surprisingly little technical sophistication, despite obvious possibilities for computer simulations to test land use and transportation alternatives. However, notwithstanding the branch affiliation with Treasury and Economic, little has been published to date that would indicate how the economic consequences of its proposals have been evaluated, or whether in fact they have been evaluated. What appears quite certain, however, is that the current spate of provincial regional planning activity is proceeding without the benefit of a visible overall provincial development plan or strategy.

Hon. Mr. White: That was out of date the day it was published.

Mr. Breithaupt: Whether it was out of date or not, the Economic Council made those comments—

Mr. Cassidy: It was a pretty good report. The Treasurer shouldn't knock it like that.

Mr. Breithaupt: —and I think the comments still have some relevance to the kind of machinery we are being asked to initiate this afternoon.

The question of accountability is the one to which my leader has referred, and later on in that report that subject is dealt with as well. Here's another quote from the report:

> It is important to know what the province is about when it interposes itself into the local scene. Is such intervention based on reasoned judgements? Does it derive from a systematic concept of development or planning goals? Or are such actions simply the response to political intuitions?
>
> It is here that the question of real accountability emerges. The province's actions are well within the British tradition of strong central government. However, in the United Kingdom, channels exist for counterbalancing the heavy, arbitrary hand of central government. In Britain the basic information which underlies important decisions can be secured, albeit often with a struggle. In Ontario adequate success to provincial information and a suitable non-political degree of provincial accountability would seem to be equally necessary.

Mr. Speaker, there is no question that the information that we have sought on many occasions, whether it was in the Milton land assembly, to mention a recent example, or whether it was in something as disparate as the secret reports which the Provincial Secretary for Social Development (Mrs. Birch) keeps bundling up behind her, shows that government information is not available so that an objective view can be made, not only by the opposition, but by other sectors of interest within the economy, as to what government is all about in the province.

This proposed Ontario Land Corp. is our view would take provincial accountability in exactly opposite direction that we think it should go. If the provincial planning decisions are removed just a further step from the public and from the Legislature, then we are not serving the people of this province well by bringing forward this kind of corporation.

What has this British experience been with respect to new towns, Mr. Speaker? There have been some 24 co-called new towns in existence as of the end of 1972, with a population of some 90,000 people. There are two phases to that programme in Britain that has been operating since 1945. The phase 1 new towns were expansions of relatively small marketing and service centres such as Stevenage and Crawley, with nucleus populations of 7,000 and 9,000 people respectively. Then, later, the phase 2 larger towns with a distinctive industrial base have been selected, such as Redditch, with 32,000; Telford at 73,000; and Warrington and Northampton at over 120,000 population.

All of these phase 1 towns have been successful financial ventures and the political measure of success is surely the growing number of the new town designations, especially in the phase 1 area. This is the course that we think it would be worth while for the government of Ontario to follow in this province. We have got all sorts of these phase 1 towns scattered across the province. Nearly every riding outside of the Metropolitan Toronto area has four or five or 10 centres of community that could be developed at reasonably low expense to provide the kind of housing, the kind of business facilities, that are needed to make those towns viable.

As my leader has said, they have got their churches there; they have got the skating rinks and the curling clubs; there are already sufficient bank branches; there are enough gas stations; and another two or three thousand people in each of those towns could build upon the town's traditions and background and could give us the kind of intelligent growth within this province that we think should exist.

Our friends to the left in the New Democratic Party are apparently prepared to accept these thousands of acres and the new town approach that is going to bring forward the kind of projects that the Treasurer envisages. We don't think that is the right way to go. We think that the evaluation of the new town concept, as it has existed in the United Kingdom, is something that we should consider quite seriously.

Ivor Seeley, in his book, "Planned Expansion of Country Towns," evaluated this experiment and notes:

> Town development projects have radically changed the outlook and prosperity of many small static or declining country towns. Planned expansion under the Town Development Act has been instrumental in bringing in new industry, new residents, modern services, and a new wave of prosperity.

That, Mr. Speaker, is exactly the way we think Ontario would be better served than by bringing forward this kind of a corporation that is going to own tens of thousands of acres of land in the Province of Ontario over these next 20 or 30 years.

There have been various other articles dealing with new town development and I don't want to take the time of the House to review all of them, or even a large number of them. But I think that when you look at a community the size of Stratford, for example, a city of 25,000 people, we find that that community is unable or unwilling to accept greater growth because the challenges which are being faced and put upon the local persons involved are simply not being able to be met or backed up with the resources of this government.

Here is part of an editorial from the Stratford Beacon Herald of July 20, 1974:

> While Stratford could undoubtedly absorb more people, we would not like to see our city be subject to rapid growth. Growth may have its merits when it comes to cities, but there is a point where this growth ceases to have any validity. In many cities that point has already been reached.
>
> In Stratford, great care will have to be taken to assure that our community does not outgrow the needs and wishes of those who live here. In the 1970s more and more people are beginning to realize that growth and bigness are not the answer.

Mr. Speaker, I come from a community that has grown rather rapidly in these last few years. If you look at the proposed redistribution reports you find that in the 1967 election we moved from two constituencies, the historic division of Waterloo county, which were Waterloo North and Waterloo South. The riding of Kitchener, that I have the pleasure to represent, was formed in that year. And now, just seven years later, a redistribution again brings a fourth constituency into the region of Waterloo. So we have effectively doubled our population in those last seven years.

We have been able to accommodate and cope with some of the growth, but as one of the more rapidly growing areas in the province, we realize the kind of strains that are imposed when populations double within the life of a child, who perhaps starts school and by the time he or she is in grade 8 or grade 10, the family has moved several times and the whole community in which they live has changed.

These are the kind of problems we think could better be resolved by the development of the kinds of programmes to which my leader referred earlier.

Last May, the Bureau of Municipal Research, which is an independent, non-profit agency in Toronto, convened a conference to discuss the development of new towns in Ontario. There was, Mr. Speaker, a summary report issued in September which dealt with the proceedings of that conference. Here are a few of the things that report said:

> While the discussion offered no final answers, it did help to clarify our concerns about the direction in which our province is moving. These concerns relate mostly to the overall question of the rationale for Ontario's new community planning. We began to wonder, as we reread the transcripts, whether new town development is being pursued by the province because it has become the fashionable thing to do rather than because it will serve as a significant element in the control of urban sprawl around Metro Toronto.
>
> Consequently, one of the effects of the conference for us was that it highlighted many basic questions about how the province is planning to cope with growth in Ontario and how meaningful a new towns policy can be.

I suppose, Mr. Speaker, that new towns can have some merit if there is a close involvement by the people who live there, who will have control of the development for the future growth of their own communities.

I think that it is quite clear from the comments made earlier on in this debate that the fears which we have concerning the control being outside of the local autonomy, that we think is important, are fears which are fully justified.

There are a number of other things which I could say, Mr. Speaker, but I leave perhaps just one analogy with you. Presumably, many members of the House have studied, with rather great interest, the report of the land drainage committee. I was rather taken, if not by the content of the report, at least by its cover.

Mr. Cassidy: With passion, in fact.

Mr. Breithaupt: That cover, I think, really shows the direction in which the Treasurer appears to be taking us.

Of course the drain that appeared on the report had a cover on it. I'm told that the picture wouldn't be approved unless that, in fact, happened, because after all we can't have nasty things crawling up from drains. But other than this drain and the pure water or effluent of some sort flowing from it, we saw out in the distance what perhaps could be called the "White City," to take as good a name as any.

What is White City? White City is a stadium complex in England that deals with various sporting events. I recall various massed band concerts and all sorts of things that go on there. There are great lights and great illusions. There's great enjoyment, no doubt; but in fact eventually, when the light and shadow is finished and the show is over, the place becomes darkened, the place becomes rather an unsatisfactory momento that even the Treasurer perhaps would not like to have his name associated with.

But we can look at this in some other light. We can look at it, as my leader has commented, as the land of Oz. There is the wizard with his thunder machines, with his emerald glasses, with all sorts of things that make illusions seems real. He suggests to the people of Ontario that they follow the yellow brick road.

Who are the people who have followed that road? We have, of course, Dorothy, the little girl who no doubt represents the Province of Ontario. And what about her three companions? There is no question about the scarecrow who needs a brain, because I think we've heard comments from our friends on the left who simply don't understand how the lands of this province could best be developed.

Mr. Renwick: Oh!

Mr. G. Nixon: Right on.

Mr. Cassidy: I've never heard the member so partisan; keep it up.

Mr. Breithaupt: Whether the scarecrow needs a brain or not I'm sure we can find that out later.

What about that tin woodman looking for a heart? I think it's too late for the Conservative Party that way, because the oil that is needed to keep that tin wood-man's joints going is the oil of commerce that has been helping that party for a long time.

Perhaps, Mr. Speaker, we have to liken ourselves in this party to that lion that needed a little courage. Because as we go up that road, we are prepared here and now and in the future of this province, to gain that courage and make the decision that we think is important for the growth of this community.

Mr. Renwick: The Liberals are terrified of the bogey man in the dark. That's their problem.

Mr. Breithaupt: The courage that we think is important, Mr. Speaker, is to allow the communities that exist in these areas, now covered in their tens of thousands of acres, to grow at an intelligent pace in a way that can best serve the communities that are there now.

Mr. Lawlor: The courage to do nothing.

Mr. Breithaupt: We think that this will be the way that we should solve the problems of growth in this province. We also feel, as a result not only of the programme brought forward by the minister, which made the bill bad enough, but of hearing that the New Democratic Party was going to support it, and that was the last straw, even from that scarecrow—

Mr. Lawlor: They also stand and wait.

Mr. Breithaupt: —that for all those good reasons we will oppose the bill.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, between you and me, I sometimes think that the only good Tories left in this House are the party to my right over here. I mean all the rest of them are incarnadine pink or various shades of vermilion, and that fellow over there—I wouldn't dare mention his name unless you caught him under your very strict guidance—the member from wherever he is the member from—

An hon. member: London South.

Mr. Lawlor: He is the arch-Marxist of them all.

Hon. Mr. White: On a point of privilege, if he says that outside this House I'll sue him for every nickel he's got.

Mr. Speaker: The hon. member will continue.

Mr. Stokes: He isn't even a limp-wristed one.

An hon. member: He hasn't got a nickel.

An hon. member: The Treasurer won't get one.

Mr. Lawlor: The Leader of the Opposition said earlier today he likened the Treasurer to the wizard of Oz in this particular legislation. I think his literary references are all awry. What is happening in this bill, is that a Brobdingnagian creature has now entered the land of the Lilliputians and has grown small in the process.

What has happened in the legislation, as pointed out by the Globe and Mail and a number of other publications, is that the Treasurer has gone to the private sector twice in the past month—once with the executives of the financial world at the Royal York Hotel and more recently with developers and industrialists at a Toronto restaurant. I hope it is one of the prime Toronto restaurants, because the Treasurer's taste in restaurants sometimes redeems him. But it's the company he keeps in those places that makes all the difference.

What has happened in this particular matter is that, Brobdingnagian that he is, expansive in the extreme, having come forward with legislation which had some teeth, some girth, some pull, some punch, some purpose behind it, he has now drawn in his waist. He hos not just gone on a diet, he fasts. He not only fasts, he practically expires.

The watered-down legislation we have before us today is a faint resemblance to what is desirable, even on the Treasurer's own terms, and he knows it. The business of pulling back, with respect to the full possibilities of development, to laying the pipes, to really putting the houses on there, is the answer and is the only incentive to the private sector that we are likely to see in this province. Under that paleolithic throwback over there nothing would be done; no

planning principles, no sense of forging ahead, no sense of development in an overall way.

Mr. Stokes: Which one is that?

Mr. Lawlor: There has to be some sign of centralizing wisdom—

Mr. Stokes: Which one is that?

Mr. Lawlor: —blown into the economy. Oh wretched Liberals in this particular matter.

An hon. member: Let that be on the record.

Mr. Lawlor: A time to subserve the votes of every aboriginal right-wing idiot in the province because they think they will feed them with funds, which they will, and they think they will get votes, which they won't. And between those two things, I hope they fall between the stools.

There is no principle in this thing. It's ancient and a throwback as far as this operation is concerned. For only that reason we join them in supporting the wretched bill.

Mr. Renwick: We have just lost the votes of the aboriginal idiots in the province.

Mr. Lawlor: Anaemic as it may be, at least it has some fortitude. Talk about courage. It has at least some sense of impetus behind it in the beam.

Mr. Breithaupt: I would hate to think what would happen if they were against us.

Mr. Lawlor: I hope and I am sure that the Treasurer has spent time on the Globe and Mail editorial of July 27, 1974, where the editorial is largely taken up with a series of questions, some of which questions we would like very much to ask in committee, to see whether he has the answers thereto. Toward the centre of the second column they say, which is most important:

> Why was the meeting secret? Why were only a very limited number of businessmen admitted on the ground floor of what could be a very lucrative business? If incentives are to include land sold at a loss to the Treasury, the taxes remitted or abated, why is the opportunity not open to everyone? Why should Mr. White and Mr. Stewart be talking and planning to talk again to a select 14?

Surely that is a very questionable, internecine way of carrying on the business of this province at some restaurant—Latina or somewhere close to the vicinity—laying down policy which is more properly addressed and discussed here than in that particular area?

It is true, too, that this legislation—

Hon. Mr. White: On a point of order, the article, frankly, is not correct. We were not talking about the Ontario Land Corp. It was not a secret meeting—

Mr. Reid: They were talking about party finances.

Hon. Mr. White: It was not a secret meeting, or I wouldn't have described it in some detail to the reporter. I would have taken issue with this—what's the word I'm looking for; a euphemism for crap?—

Mr. Lawlor: Tripe.

Hon. Mr. White: —tripe is the word I was looking for—except that I was going on my holidays about that time and I didn't want to get myself in an unpleasant, passionate mood, so I let it go. But the whole article is incorrect.

Mr. Breithaupt: Is your passion usually unpleasant?

Hon. Mr. White: The whole editorial is crazy.

Mr. Speaker: The hon. member will continue.

Mr. F. Young (Yorkview): Is the Treasurer saying the editorial writer of the Globe and Mail is crazy?

Mr. Lawlor: We may just refer—and this is so true—

Hon. Mr. White: It was a complete misunderstanding of the facts.

Mr. Renwick: The Treasurer went away in his usual pleasant passion?

Mr. Speaker: Order please. The hon. member for Lakeshore has the floor.

Mr. Lawlor: To continue: "There is a place where things like this used to be discussed. It used to be called the Ontario Legislature."

Mr. Breithaupt: Oh, it's still called that.

Mr. Lawlor: Actually they didn't say it used to be, because it is. But that is one of the major faults, that the government does rush off to consult the investment industry instead of making up its own minds in this regard. They will not get the adequate housing. What is wrong—without going holus-

bolus in the full direction of my colleague from Ottawa Centre, with full governmental control and the apparatus there, which I do believe will come to pass in this province, and shortly, as the only efficacious way of providing housing—but even if we didn't go that far, what is wrong with participation with private industry in the fullest possible way toward the development of housing in the widest girth? Why does the government pull back from that? Why does it carve out an area for the private developer and say that area is sacrosanct; that he makes his profit over here and we stay on this side of the fence? We provide all the emoluments. We provide all the wherewithal. We set the whole deal up. The only thing we don't do is make anything back.

Mr. Cassidy: That's right.

Mr. Lawlor: We strip ourselves in the process. Why not participate?

Mr. Breithaupt: But members to my left are going to vote for the bill.

Interjections by hon. members.

Mr. Lawlor: Why not participate fully through our land corporation—because, by God, we need a land corporation in the Province of Ontario? If it worked in the amplitude and scope and within the parameters that are being suggested over here and not cut back in a way which seems to undermine the minister's own legislation, then we would have something. We would have a fully developed creature which would have power, force and efficacy in the province and would be able to do some land planning, and set aside the agricultural areas. It would keep them in agriculture, as the minister says, through employing the graduates from the Ontario agricultural schools, or in any other way possible—by bringing in new immigrants, if in no other way—in order to keep those fields ploughed and, in general, to forfend against what is happening in terms of the depletion of housing resources, to do it in conjunction with industry, to have planned industrial areas, and the whole thing that the minister wants.

Why don't we give the minister the arsenal of weapons that he needs in order to carry out that purpose, instead of being in some way stultified by a group of people simply interested in their own financial advantage, whether or not they can carry out the mandate that the province requires going into the future? And I believe they cannot. They have failed now and they will fail the government if it lays heavily upon them. I don't cut them out. I participate fully.

But over and above any particular kind of thing, I would make preventive measures. I would take due care to have extra muscle there coming from the governmental sector to put the damned houses up and the factories, if necessary, and rent them out on leaseback arrangements or any other terms that the government can in order to make a fully developed, intelligent 20th century concept of what goes on in the housing market and its relations to that market and to land planning and development generally from which it shrinks. The minister almost came to the verge, but virgin-like, at the last moment he shrank back from the full plunge.

Mr. Renwick: He went down to Bay St. and they told him what to do.

Mr. Lawlor: The minister is well advised, in my opinion, to work in the area of new towns. There are 32 new towns in Great Britain. They started with the garden cities. I think on the whole they are highly beneficial. The felicitous life is lived in those towns. There is the green sward and ways to get under the highways and pleasant lawns. There is a whole ambience planned into the town, even to the point of pubs. If the Treasurer plans a pub here and there, he might redeem himself for the mind of Ontario into the future.

In any event, there they are. They are set pieces for him to investigate. As my friend said, for 60 years in Sweden, they have been commonplace. That is the way they have provided housing in that country, basically; they got low-rental housing and they have been able to provide housing. They have a problem, as we have too, and no wonder, in an expansive population, but it is not on the catastrophic scale that we are suffering from in Ontario.

Hon. Mr. White: They had a 16-year waiting list the last time I heard about it.

Mr. Lawlor: If the Treasurer is venturing overseas, why doesn't he drop into Stockholm some afternoon and find out what is going on over there? The minister performs magnificent gestures before he withdraws.

Mr. Renwick: What is the housing situation in Kuwait?

Mr. Lawlor: I sometimes think he wants to be a verb like one of his favourite authors Fuller—Bucky, dear old Bucky. I seem to be

a verb, Bucky. The minister seems to be a verb too. Well, if he is, he should be active one and even a transitive one. Move into the area and flesh out this legislation to a far greater extent, to the extent that he said he was going to in his budget and which he is betraying in this House and reneging on and pulling back from. His friend Alvin Toffler is the "Future Shock" fellow. Sometimes one is shocked right in the present. One doesn't have to wait for the future with the way things are taking place here today.

Mr. Renwick: The future is the present, he told us the other day.

Mr. Lawlor: As the minister moves towards retirement, I see him as moving into a science-fiction world all of his own making, crepitating in the process and afraid of the industrial giants who surround him. Like the Ontario Municipal Board, he gives way too easily to the powers that be.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): I want to get into the provisions of this bill from a slightly different point of view. Having been involved in land-use planning in what I consider to be a much more realistic way in northern Ontario than has ever been undertaken any place before in the province, since we had strategic land-use planning and the wise use of Crown land, primarily for recreational use but also having regard for the use of land generally in the north, and since we had management plans for specific and somewhat small and localized regions throughout the north, we have now embarked upon what they refer to as SLUP—strategic land-use planning—on a regional basis.

We have been undertaking several meetings over the last couple of months in areas in northern Ontario, particularly the northwestern and the north-central region, and the question that keeps coming up—and the one I raise at every opportunity—is if we are going to plan and provide for proper land use in the northern region, we really can't do it in isolation of the rest of the province.

We are attempting to use Design for Development in establishing priorities for the wise use of land, but if we plan in isolation and in the absence of an official plan for the entire Province of Ontario, we are actually working in a void and may very well be working at cross-purposes.

The minister, in response to and at the urging of the land planners down here within the confines of Queen's Park—perhaps he was in a bit of a tiff or I suppose he was trying to keep the wolves from the door—has stated that within a matter of weeks he will have an overall land-use plan for the Province of Ontario.

Hon. Mr. White: No, I wasn't in a tiff. I told my officials about last May to get cracking and have it this fall. Now, that's not a tiff. When I revealed this fact to the Legislature in my estimates, I simply told them that; and indeed, I hope to have it this fall. When does winter start?

Mr. Young: The 21st.

Mr. Cassidy: The Treasurer has got eight more days.

Mr. Stokes: Okay, this fall. Surely the minister knows that any plan that was asked for as recently as May of this year and was demanded for delivery by this fall has to be the height of superficiality.

Hon. Mr. White: It has to be the first plan of a draft nature; very rudimentary and utilizing a lot of stuff we have been collecting for years, yes.

Mr. Stokes: It has to be the height of superficiality—

Hon. Mr. White: Well, we have got to start somewhere.

Mr. Stokes: —because I happen to know that it takes a lot of time and a lot of effort by a lot of dedicated people to come up with a realistic land-use plan that is in any way meaningful. For the minister to be bringing in a bill, without having an overall plan, as he is now, I think he is putting the cart before the horse.

I am not going to go on at great length about this, but I am vitally concerned and vitally interested in a plan for the region that I represent—and I know perfectly well that such a plan is going to be next to meaningless unless we can have the support of people down here.

We know that when the government is setting up plans for the Toronto-centred region, the North Pickering region and Nanticoke, the things done down here have a very profound effect on the kind of decisions and the kind of options that are left open to us up in northern Ontario.

We are a resource-based economy, and if we are going to prevail upon the minister's colleagues, the Minister of Industry and Tourism, the Minister of Natural Resources (Mr. Bernier) and the Provincial Secretary for

Resources Development (Mr. Grossman), I think they are the people who must be aware of an overall land-use plan for the Province of Ontario if the plans that we are making, somewhat in isolation in northern Ontario, are going to have any real meaning and are going to fit in and meld nicely with an overall official land-use plan for the Province of Ontario.

It is not happening at the present time, and I don't think this plan that the minister has asked for before winter sets in, is going to be the kind of plan that is going to allow us sufficient leeway and sufficient ability to meld our plans with the overall official plans.

All I'm suggesting, Mr. Speaker, is that they're putting the cart before the horse. Unless the Treasurer has got some real magicians over there, I can't see his task force coming up with the kind of plan that I think is necessary for a realistic land-use plan for the Province of Ontario.

What I'm doing, Mr. Speaker, is making a plea on behalf of all of the people in the north who are genuinely interested and who are concerned and actively engaged in what we consider to be proper land-use planning in the north. For heaven's sake, let the government get on the ball and come up with a plan so we can see what it is in order to make ours more relevant and more realistic.

Hon. Mr. White: I move the adjournment of the debate, and in so doing, point out that this is historic, progressive, Conservative legislation—far too progressive for the Liberal mugwumps—

Mr. Speaker: Order, please.

Hon. Mr. White: Far too conservative for the socialists.

Mr. Speaker: Order, please.

Mr. Renwick: The Treasurer is out of order.

Mr. Speaker: Order, please. I assume that there are other speakers who wish to take part in the debate?

Mr. Lawlor: Point of privilege. If he says that outside the House, I'll sue him.

Mr. Breithaupt: Mr. Speaker, it's my understanding—

Hon. Mr. White: We will proceed with this order after question period tomorrow.

Mr. Breithaupt: Thank you, Mr. Speaker.

Mr. Lawlor: Did the Treasurer hear me?

Hon. Mr. White: Tomorrow morning—yes, sir.

Hon. Mr. White moves the adjournment of the debate.

Motion agreed to.

It being 6 o'clock, p.m., the House took recess.

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No. 151



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Evening Session

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LEGISLATIVE ASSEMBLY OF ONTARIO

THURSDAY, DECEMBER 12, 1974

The House resumed at 8 o'clock, p.m.

LEGISLATIVE ASSEMBLY ACT

Hon. Mr. Snow moves second reading of Bill 170, An Act to amend the Legislative Assembly Act.

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, there have been one or two areas of concern expressed by those people who examined the bill with some care.

Obviously, the members of the opposition and the private members of the Conservative Party would look at it, since it has something at least to do with the provision of services for our caucus facilities.

One area that does seem to be of more general concern is the establishment of the position of the servants of the House—if that is the proper terminology to use—in sort of a special grey area; those people from the Clerk of the House and his assistants and others, who by custom are not designated as public servants in the normal course of events, and find themselves very much subject to Mr. Speaker and a cabinet committee of three.

I think, perhaps, there is an area of potential injustice there. It appears that this whole concept was modelled after, let's say, the mother of parliaments at Westminster, where Mr. Speaker has a position that is not associated with any of the political parties. His position does not depend entirely on the success of one party or the other in achieving a majority and, therefore, the government of the day.

It seems that this is a matter that has not been adequately pursued. I thought that on second reading we should at least raise it, so that when this bill is in committee the government might have an opportunity to reconsider its position. I hope that I have made myself clear enough in that regard, because as we read the bill it appears to me that any review of employment and certain other matters seems to depend on Mr. Speaker, as it should—but in association with him, three members of the government, rather than, as it should in our view, as representatives of all parties in the House.

Mr. J. A. Renwick (Riverdale): Mr. Speaker, on a point of order. It is really ridiculous for the government to bring on this bill when the Speaker is not in the chair. It really is. I know that the Speaker has another engagement this evening, but this bill relates to the Speaker's office and, with the greatest respect to the member who is in the chair at this time, the Speaker is the person who should be here to listen to what is being said about the constitution of his office.

I would ask that the government, in all common sense, stand the bill down until such time as the Speaker is in the chair and has an opportunity, not to participate, of course, but at least to listen to what is being said about a matter of immense importance to the assembly and of immense importance to the authority of the Speaker's office.

Mr. Speaker: It is the opinion of the Chair that there is no point of order. The Speaker doesn't call the order of business in the House. I would ask the hon. Leader of the Opposition to continue.

Mr. R. F. Nixon: Mr. Speaker, on the point of order, certainly the point made is an interesting one. I have always felt myself that since the Speakership here is constituted as it is, there should be an occasion when Mr. Speaker could assume his seat in the House as a private member and participate in a debate that concerns matters that have something to do with his own jurisdiction. Certainly, if it would be possible for the minister to stand the bill down until Mr. Speaker is either present in the chair or in his seat as a private member, there would be a certain sensibleness to that that would be appreciated on all sides and by the Speaker, as we are, in fact, by the passage of this bill giving him new responsibilities and powers which, I believe, are significant indeed and of substantial importance. Does the Speaker want to give it further consideration?

Mr. I. Deans (Wentworth): May I make a comment or two with regard to the point of order?

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: I think that the point is well taken. As the Speaker is going to preside over much of what is contained in the bill, he should have been here to hear the discussion. There are a number of points that are going to be made during the course of the evening that are very germane to how he will handle the business of the House in terms of the way in which they might deal with the employees of the various caucuses.

Beyond that, it would seem to make sense to me that the Chairman of the Management Board of Cabinet (Mr. Winkler), who by the establishment of the bill will have a considerable impact on whatever takes place with regard to future determination of the rights and status of employees of the office that's being established in the bill, should also have an opportunity to hear what's being said and to take part in the debate.

I don't deny for a moment that it's the bill of the Minister of Government Services (Mr. Snow), but I think that the Chairman of the Management Board of Cabinet and the Speaker will have a very real role to play and that they should have both heard and taken part, wherever that's appropriate in the discussion, so that we can clearly understand the direction which we're going to travel and the kinds of things that we expect—and that other members of the House expect—will evolve as a result of the change that's going to take place in the way in which the House and the business of the House are going to be ordered.

Mr. Renwick: Mr. Speaker, if I may speak again on the question of the point of order, the point of order is really the order of the business of the House, and we understand that the government has the call on the order of the business of the House. It seems very unreal to be debating this bill in the absence of the Speaker.

The Minister of Transportation and Communications (Mr. Rhodes) is in his place. It has been understood that one of the bills that will be called will be bill — whatever the number of it is—

Mr. Deans: Bill 161.

Mrs. M. Campbell (St. George): Bill 161.

Mr. Renwick: Bill 161 dealing with the snow vehicles—

Mr. Deans: We will go to that now.

Mr. Renwick: —and it would appear to us to make sense that that debate could proceed now. Perhaps in due course of time the Speaker will be free from a prior engagement, which I know he has, and we could then go on. I would ask whoever is the acting House leader for the government party to give serious consideration to that request. I'm sure the Minister of Government Services would agree.

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, regarding the comments made on the point of order, Mr. Speaker was certainly aware from discussions this afternoon that this bill was to proceed this evening.

Mr. Renwick: But he had a prior engagement.

Mrs. Campbell: We were told it would be Bill 161.

Hon. Mr. Snow: He certainly made no comment to me that he wished the bill delayed.

Mr. Renwick: But he is the Speaker; he cannot intervene in what the government is going to do.

Hon. Mr. Snow: In any case, Mr. Speaker is certainly familiar with the bill and has been involved with the development of the bill.

Mr. Renwick: It is just wrong.

Hon. Mr. Snow: Although the House leader is not here at the moment, I know he is in the building; he was here a moment ago. He, as Chairman of the Management Board, as was suggested by one of the members, might wish to be here; I'm sure he will be here periodically, depending on his other duties.

Mr. Speaker: May I again point out to the hon. member that the Chair does not call the order of business, and I would ask the hon. Leader of the Opposition to continue with the debate.

Mrs. Campbell: No. That's not fair.

Mr. Renwick: Mr. Speaker, with the greatest of respect, I am simply saying that I am not going to sit in the assembly tonight to listen to the results of the Camp commission report on the reconstitution basically of the office of the Speaker, how it is to be financed, what his responsibilities are, how it is to be organized—all affecting every member of the

assembly—and have it done in the absence of the Speaker.

I think it denigrates again the assembly. Surely there is some minister on the government side who will recognize the validity of the argument and will stand the bill down. We are not asking that nothing happen. The Minister of Transportation and Communications is in his place. The members who sat on the snowmobiles select committee are available for the debate. It is an equally important bill and can easily go ahead.

Mr. Speaker: The hon. acting House leader.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I'm afraid I'm not quite the acting House leader either, but as far as the bill is concerned I would like to say that I can recognize the point made by the hon. member for Riverdale, but by the same token it would seem to me that the Hansard copies will be available. I'm sure Mr. Speaker is familiar with what is in the bill and I know he will read with interest the comments that are made as recorded in Hansard. I would suggest that we should proceed with the order of the House as it has been called by the House leader and proceed with the debate. We're ready to go ahead with it and I say we should go ahead.

Mr. Renwick: It will proceed without my particular presence, Mr. Speaker, I can assure you of that. It may not be important to anybody else, but the assembly is an important place and if the government continues to denigrate it the way it is doing from year to year, we might as well close the place up.

Mr. Speaker: The hon. Leader of the Opposition.

Mr. F. Laughren (Nickel Belt): Shame.

Mr. R. F. Nixon: Mr. Speaker, perhaps I should comment further on this since it has to do with the operation of the House. I think the matter is serious, although perhaps not as serious as put forward by the member for Riverdale.

It is true that the report has been available for many months and has been perused by all of us, certainly by Mr. Speaker and his assistants and, I am sure, by the officers of the House. We have seen that the government has issued a statement, also many months ago, as to which aspects of the report it is prepared to accept and which ones it is not prepared to accept. This bill implements the large proportion of the recommendations, with the exclusion, I believe, of only two or perhaps three of some significance.

As a matter of fact, while the funds which are referred to in this bill have not as yet been spent, they have been available for the budgets of our caucus, and presumably the other caucuses, in establishing a fair pay scale and a level of service that is prescribed by the report even though the bill has not passed the House.

Once again I would say we regret the absence of the Speaker, not so much that he would sit in your chair, sir, and listen to the views expressed, but that he might very well, in his private capacity, have contributed to the discussion. That is certainly not customary but in this particular instance, surely, if necessary, we could have set a very valuable precedent in this regard.

I had actually thought that many of the discussions associated with the levels of financing, the distribution of the money and the establishment of new authority for the operation of the House had largely been agreed to, based on the recommendations of the commission on the Legislature. But I did want to bring to your attention, Mr. Speaker, the fact that there are those employees of the House, at a level below the clerk and the assistant clerk, who find their positions somewhat in question on the basis of the bill that is before us, in that it gives Mr. Speaker, if there is a question of discipline or even dismissal, the option of calling a hearing if he chooses to look into a grievance that might be associated with that.

That, it seems to us, and certainly it has been brought to our attention by others, is something less than the rights that are available to other people employed in the public service; and we think that anything less than that is unacceptable to the employees of the House. I hope this is something that can be given further consideration.

I understand that the proposals had been modelled almost directly on the practices at Westminster and to almost the same degree, parallel to the practices in the House of Commons of Canada. But I believe we could improve on that to take into recognition and to recognize the very special features of the development of our practices in this House.

Certainly, Mr. Speaker, I would agree that where the rules do not otherwise provide we can look to the mother of parliaments for guidance in establishing our own procedures, and that parallel procedures with the Parliament of Canada are, of course, always useful for processes of uniformity. But all

one has to do is sit for a day or two watching the procedures in the Parliament of Canada, or of the United Kingdom, to realize that we have our own procedures here that have been established by custom and order, if not by rule, which are in many respects just as efficient, and perhaps in many other respects even more so, for our own purposes. So I want merely to bring that matter to your attention, Mr. Speaker.

My colleague from Waterloo North (Mr. Good) has examined the bill in more detail and has one or two matters that he would also like to refer to, sir.

Mr. Speaker: The hon. member for Wentworth.

Mr. Deans: Mr. Speaker, I thought I saw the House leader.

Mr. R. F. Nixon: He saw the member rising.

Mrs. Campbell: He ran away.

Mr. Deans: I want first of all to say that we were heartened to some extent by the undertakings of the Camp commission report and the way in which they went about their business. We weren't entirely satisfied with what they recommended, but nevertheless the content of this bill doesn't really cover some of the major problems that we see.

I want first of all to make reference to the fact that this bill deals with the Legislature. It doesn't deal with the government. It deals primarily with the business of the Legislature. It deals with the way in which the members elected will be serviced; it deals in terms of the way in which the Speaker's office will be able to accommodate the needs and the requirements of members not only here but members that are yet to come.

I want to suggest to you, Mr. Speaker, and through you to the minister involved, that the Board of Internal Economy should have recognized that it is in fact a legislative board and that there should be a provision in the Board of Internal Economy, since it has so much power vested in it by virtue of this Act, that there should be representation on that board from the opposition.

I think that it would be a different matter if we were talking about simply a government function. But we are talking about something that is entirely different from a government function. We are talking about meeting the needs of the members of the Legislature as they have to go about their day-to-day business. The Board of Internal Economy should have been set up in such a way as to ensure that all of the views of the various parties in the House were taken into account, because quite obviously not all of the views of the people of Ontario are represented by the government, though they might like to think they are.

I want to suggest to you, Mr. Speaker, that at some appropriate point we would like to offer to the government an amendment which would enlarge the board, leaving the control virtually in the hands of the government—as I suspect they would want it to be, though I don't understand why it need be that way—but allowing for opposition representation on this board, so that we can put forward views which are views which may differ substantially in some instances, but not too significantly at other times.

Mr. R. Haggerty (Welland South): Like both opposition House leaders.

Mr. Deans: Both opposition House leaders might not be a bad idea, although that was not exactly what I had in mind. This board should be constituted differently from the way in which it is here and it should truly represent the Legislature. It should represent all views in the Legislature and not simply the government view. It may well be that some of the powers that are delegated to the board may be deemed by the government to be inappropriately delegated if there were members of the opposition sitting on the board.

I am prepared to suggest to you, Mr. Speaker, and to the government that it should devise a calculation whereby representation on the board was by virtue of the general makeup of the House so that we had representation on this board in the same numbers that we might have representation on the standing committee. We could then appoint people to sit on the board and to put forward views.

I say this for this reason. This bill deals with the affairs and the effect of legislation on employees of the various members of the Legislature—not just the employees of the government members but the employees of the opposition members. In our particular case, because of our enlightened attitude toward employee-employer relations, we have had instituted a union bargaining agreement. We have now a collective bargaining agreement and we have a relationship with our employees that is more formalized as a unit than perhaps the government or the official opposition has. That requires that special

representation be made from time to time with regard to the contractual arrangements which we have with our employees.

I want to say that within the terms of this bill there is no real opportunity for us to assure our employees of the continuation of that contractual arrangement. I am sure the government wouldn't want anyone to interpret this bill as being a union-busting effort.

Mr. R. F. Nixon: We are not going to interpret it that way.

Mr. Deans: No, and I wouldn't interpret it that way either. I want to point out to you, Mr. Speaker, that within the terms of the bill, section 86 dealing with the Board of Internal Economy's requirements, says that the Board of Internal Economy may:

(a) establish job classifications and salary ranges;

(b) provide a system of cumulative vacation and sick leave credits;

(c) provide for the establishment of plans for group life insurance;

(d) provide for granting of leave of absence;

(e) prescribe any other terms and conditions of employment for employees.

I assume, and I think quite rightly, that the employees of the various caucuses will in the very broadest sense be employees of the Office of the Assembly. That's my understanding. If my understanding is correct, then that means that the terms and conditions which we in good faith and our employees in good faith entered into are no longer as valid as they were. I want some assurance from the government that there will not be any of the terms or any of the conditions which we currently have in force and effect altered by this particular section of this particular bill.

We have an obligation, we want to live up to it. We want to live up to it because it happens to be a very worthwhile obligation, in our view. Our employees are protected by the contractual arrangement which we have. That is one of the reasons why I feel that the bill must go just a little further. Not only must it go a little further, but that's one of the reasons why I think that the opposition, both parties, should have representation on the board in order that we don't have the problem of the cap-in-hand situation where we must appear before this board and try to appeal or beg for some kind of change or condition which they may not, in their wisdom, see as being in keeping with what they had customarily been required or inclined to give to their employees. So, it's for that reason and other reasons we think that there should be some changes to the Act, some guarantees.

I want to be able to say to my employees, "You are guaranteed at least as much as you had previously and all of the terms and all of the conditions that are permitted to be established by this Office of the Assembly." And beyond that, I want to be able to talk to them seriously about how we will negotiate with them in the future with regard to any changes. It would make some sense in the overall that we be able to make direct and constitutionally guaranteed, legislatively guaranteed representation within the board, rather than to the board, that we should be a part of the decisions that are made by this group on behalf of members of the Legislature in total.

I want also to say that one of the reasons why the bill wasn't brought forward two or three days ago, as I understand it, was a dispute which had arisen between employees of the Speaker's office—if not a dispute, at least some questions that had arisen in the minds of employees of the Speaker's office—with regard to their rights. In private discussion, I had come to the understanding that there might well be some changes contemplated in the bill in that regard.

If the minister could nod one way or the other, I would then know what more to say about it. Is it the intention of the minister to make any adjustments in the bill to guarantee such things as the right to a hearing for an employee who—

Mr. M. Gaunt (Huron-Bruce): Before a grievance board.

Mr. Deans: Well, before whomsoever we would choose at this stage—but the right to a hearing for an employee who may be disciplined or who may be fired or dismissed for cause or without cause?

Is it the minister's intention to guarantee, in the bill, that for all employees there be an opportunity for them to appeal or appear before a duly constituted board for the purpose of hearing their legitimate grievance, if they are demoted, disciplined or fired for any reason? Or are we just to assume that the Management Board, and through the Management Board, the Office of the Speaker and the Board of Internal Economy, will deal fairly with everyone and they will never have a problem? Because if I have got to assume that, I have got to wonder a little bit about it.

I think quite frankly that it would have been a much more useful exercise—it would depart from the normal procedure, but it would have been a much more useful exercise—if there could have been a discussion, an honest-to-goodness discussion, between the government representatives and the representatives of the opposition prior to the bill being drafted. Since this is in effect a bill which deals almost solely with matters which affect all members of the Legislature, I am really sorry that the government didn't see fit to include the House leader for the official opposition and myself, and perhaps others who had an interest, in a discussion of what the bill should contain, given the recommendations of the Camp commission.

Beyond that, there were some recommendations in the Camp commission report which I understood had been accepted by the government and to which I see no reference made in the bill. I want to ask that the hon. Minister of Government Services state quite clearly here tonight exactly which of the recommendations have been accepted, which of them are contained in the legislation, and which of them will, without question, go into force at the time of the bill having passed.

For example, I can recall that there was a recommendation that the secretary to the whip and the secretary to the leader should receive an emolument somewhat different from that afforded other secretarial help. That, as I understand it, was a recommendation accepted by the government. I see no reference to it and I wonder how we can assure those people that they in fact will be taken care of in the way that the Camp commission recommended.

I want further to know how the Board of Internal Economy can deal with the recommendations which were referred directly to it by the Premier (Mr. Davis) in the statement that he made—I think it was the Premier—when he spoke about the recommendations that had been accepted and the recommendations which were being referred. I would be interested in knowing how that referral process will take place, what kinds of meetings will be held, what representation will be permitted and at what point in time one might reasonably expect that the government or the Board of Internal Economy, as it's called in this bill, will give forth some answer with regard to the matters referred to it.

I also want to know a little bit about how the opposition and how government members, too, make representation to this board. Will the board sit regularly? Will the board deal with all of the matters pertaining to the affairs of the members of the Legislature? How does one go about making representation to the board and how do you appear before the board? Is it at the whim of the board whether the board hears us or otherwise? Or is it a constitutionally guaranteed, legislatively guaranteed right of a member to appear before the board on its regular meeting day to make representation about matters which directly affect members with regard to the services which are afforded to them? I don't see that contained in the bill and I think it should be contained in the bill.

As I look at it, I've got to think that while I recognize that it may have been drafted rather hastily and that it may have left a great deal of power in the hands of the members, so to speak, in fact it has left all of the power in the hands of the Board of Internal Economy. And the makeup of the board is obscure, to say the least. The individuals who will make up the board are not named, with the exception of the Speaker. It's extremely difficult to tell from day to day whether the makeup of the board might be changed as tasks and jobs become more onerous in the cabinet. Therefore, I don't know how we're going to maintain any continuity of thought and continuity of direction.

I, frankly, want to suggest that what should have happened in the bill was that the Speaker should have been set up as the chairman of the board and that the government should have been invited to appoint four members to the board—

Hon. Mr. Snow: He is the chairman.

Mr. Deans. —now, wait a minute, just listen to me—that the government should have been invited to appoint four members to the board and the opposition should have been invited to appoint perhaps a lesser number, but a number of members to the board in order that it truly represent the views of the entire Legislature.

I want to suggest to you, Mr. Speaker, that that would have made much more sense. Then the expenditure of funds on behalf of members would have been regulated by the members through their delegated representatives and we would then have had some input, which is so vitally necessary if we're going to satisfy not only the requirements, but perhaps the desires, of members on this side and on the other side of the House.

My colleague says, and he's right, that we once had a Speaker's House committee. The Speaker's House committee, though it wasn't as functional as it ought to have been, could have served as the basis for the establishment of a board to regulate the business of providing services for members. We should have been given the opportunity to make representation with regard to that as a constitutionally-set-up board to deal with the affairs, not only of this side—because I've got to be quite honest, I'm sure that many of the back-benchers on the government side won't have the kind of representation, other than through the cabinet, that they might feel is a good idea—so, maybe we could have had each caucus have a representative on the board and then the cabinet, being the government, would have had the remaining representatives on the board. Thus, the board would have represented the Legislature rather than the government.

I think, if we're talking about a democratic system and we're talking about the House in total, that it's necessary to ensure by legislation that members elected to the House have a say in the way in which their affairs are handled and in the way in which their services are to be provided and paid for.

I intend to urge upon the government some changes to the bill. I'm sorry that it has to be done during public debate, because I think that that probably spells doom for anything we might have thought was worthwhile. But I do think that they should give serious consideration to a different kind of structure, because I think you should bear in mind, Mr. Speaker, that given the nature of politics one can never be absolutely sure of always sitting in government.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. The changes effected in this legislation are most important and vitally affect the operation of the government caucus and the opposition caucuses.

As the House is no doubt aware, the practice has been that the offices of Her Majesty's opposition, as well as the caucus of the third party, are dependent on funds appropriated by government for the use of the opposition parties. I understand this has traditionally been worked out usually by the Premier and the leaders of the opposition parties as to the amount of funds and the purpose for which the funds can legitimately be used by the members within the opposition caucuses. In my seven years here I have seen a marked improvement in the facilities and amenities provided for opposition members, as I am sure all members in all parties will agree.

There are certain things in the bill, Mr. Speaker, which concern me greatly. I would like to bring them to the attention of the Minister of Government Services, starting first with the section which says that every member of the assembly is entitled to a private secretary or a personal assistant and that money shall be provided for that purpose. This gives the government and opposition caucuses funds with which to provide a secretary for each member. I am concerned about this, Mr. Speaker, in that personal assistants are included in here. I suppose those members of the government caucus who have secretaries provided through some other means than those funds appropriated by the Speaker's office will, in fact, have access as well to personal assistants in lieu of private secretaries as is spelled out here. I see no reason, Mr. Speaker, why cabinet members, parliamentary assistants, and those on the government benches who have facilities provided by other ministries of the Legislature should be included in the appropriation of funds through the Speaker's office.

This is greatly magnified when we get over to the other section of the bill, section 2, where the allocation of funds to the various caucuses is dependent on the number of members represented in each of the caucuses. We in the opposition parties are grateful for the recommendation of the increase in funds for research purposes. It has been most difficult for the opposition parties to adequately provide the research that is necessary for an effective opposition. The funds that were recommended in the second report of the Camp commission have been promised and have been coming to the opposition parties, and we have been able now to upgrade our research facilities.

The other moneys coming to the party have also been increased, Mr. Speaker, by mutual agreement with the members of the government service that looks after this particular aspect. The research moneys have been upgraded and the apportionment of money which is allocated for the general use for such purposes as the caucus determines, which takes care of the other expenses involved in running an office, has been allocated, I believe, at a sum of $5,000 per member, based on the number of members.

Here again I would like clarification as to whether in the case of the government caucus

this includes cabinet ministers. If it does, I think it is unfair, because they are not dependent on any funds coming to their caucus, I am sure, to provide the services that we in the opposition parties must provide from our caucus funds which are sent to us through the passage of this particular piece of legislation.

Mr. T. P. Reid (Rainy River): Even though it appears sometimes that they need it more than we do.

Mr. Good: It is, Mr. Speaker, most difficult to run a proper opposition party office—which includes proper research facilities and proper amenities for opposition members—as well as a leader's office.

Let me further point out, Mr. Speaker, that the principle involved in the next paragraph of that section is that an additional sum of 20 per cent of the amount allocated in the previous section will be added for the opposition party to run the leader's office. Mr. Speaker, are you aware that that 20 per cent is not the price of one executive assistant who now serves in the Premier's department and that we are expected to run opposition offices effectively with this amount of funds?

Mr. Reid: Shame!

Mr. Good: I think, Mr. Speaker, that except for research, which I consider to be adequate, the formula in section 2 of the bill is completely inadequate. I would ask the Minister of Government Services to give serious consideration to clarifying this point on whether his caucus is going to accept the funds for the non-cabinet members on a per member basis, including the cabinet ministers. If his caucus is prepared to do that, I think some alternative formula will have to be developed to give the opposition caucuses sufficient funds to carry on an equal type of establishment.

An hon. member: The member has a point.

Mr. Reid: As they do in California where the opposition gets more money than the government.

Mr. Speaker: Order, please.

Hon. A. Grossman (Provincial Secretary for Resources Development): That is where they have a reactionary Tory government.

Mr. Laughren: That was when Nixon was in.

Mr. Good: The matter of the financial operations of the Speaker's office is dependent, of course, on the Speaker, who acts as chairman of the Board of Internal Economy—

Hon. Mr. Grossman: Ronald Reagan.

Mr. W. Ferrier (Cochrane South): His days are numbered.

Mr. Good: —and three cabinet ministers.

Perhaps there is justification, Mr. Speaker, in the government having to have control of the money which must be allocated for this purpose. I see no fault in that, but I think there is an alternative if the proposition put forth by the House leader of the NDP that opposition members should have a voice on the Board of Internal Economy is not accepted. If that is not acceptable, at least I think there will have to be a committee of the Legislature established to discuss with the Speaker, who is chairman of that Board of Internal Economy, the needs and the requirements of the particular caucuses within the Legislature.

I don't think that proposal would be unreasonable. Perhaps this is the intention, I don't know. It's not enshrined in legislation that I could find, but certainly the facilities that will be needed by the caucuses will have to be drawn to the attention of the Speaker so that he can put the case forward to the Board of Internal Economy.

I hope, Mr. Speaker, that the minister gives serious consideration to the allegations of unfairness which I have made in the amounts of money allocated to the opposition parties in relation to that given to the caucus members in the government party because of the inclusion of numbers which should not, in my view, include the cabinet ministers when the formula is figured out.

The other matter which I think is of great importance is the matter which is referred to on page 15 of the report of the Ontario commission on the Legislature where it says: "It seems only reasonable that legislative employees be entitled to the various benefits enjoyed by most permanent employees in similar situations." While they believe that they should not be part of the civil service, certainly the Camp commission made it clear that employees of this House and Legislature should enjoy their privileges and benefits.

We see, Mr. Speaker, the principle here which states that employees of the Office of the Speaker should be employed under their new setup at a salary of not less than he or she was receiving on the day immediately before the day this Act came into force.

Mr. Speaker, we did better than that for municipal employees when they were transferred from former municipalities into regional governments. We guaranteed them salaries for one year. We found that even that was not adequate in some instances where, after the completion of one year of regional government, employers were at liberty then to shuffle and juggle employees around, raise or lower them or discharge them as they saw fit and we think there must be better protection for the employees of the Office of the Speaker in this bill.

Section 89(1) says: "... the Speaker may cause an inquiry to me made ..." We think that the bill should read: "He shall cause an inquiry to be made where an employee has been brought before him by reason of a complaint or any misconduct or unfitness of the employee."

Such things are serious allegations against employees. We believe these employees must be granted permanent status. They must not be treated as part-time employees if they have enjoyed permanent status. There is nothing in the bill here which gives them that continuation of permanent status. In particular, we feel that they must enjoy the same privileges that are enjoyed by other persons in the public service.

Mr. Speaker: The hon. member for Windsor West.

Mr. E. J. Bounsall (Windsor West): Thank you, Mr. Speaker, the first thing that struck me as I leafed through the bill on first receiving it in my hands, and I must admit it amused me at the same time, was the very George Orwellian aspect of the name the Board of Internal Economy. The Board of Internal Economy has a beautiful ring to it. I wonder what civil servant or what cabinet minister dreamed that up some night, awakening with this term on his lips, the Board of Internal Economy.

An hon. member: The Provincial Secretary for Resources Development.

Mr. R. F. Ruston (Essex-Kent): He must have had a PhD.

Mr. Bounsall: It must have been, in one of his nightmares.

Mr. S. Lewis (Scarborough West): Jim Orwell. He was a Tory candidate in Halton in the Forties.

Mr. R. F. Nixon: His name wasn't George.

Mr. Bounsall: And he had nightmares about the Eighties.

Mr. Speaker: Order please, the hon. member for Windsor West has the floor.

Mr. Bounsall: It has the ring of using the name the "collectors of external residue" for garbage collectors, which is a very common designation in the Chicago area. I must admit it amused me no end to see this name.

Mr. Lewis: It is a further Americanization of the Ontario scene.

Mr. Bounsall: I can image if this name persists, over the years, and I don't mind this, the public smiling broadly when they first encounter the name of the board which runs the Legislature, the Board of Internal Economy. With the name economy on it they won't believe it anyway, but it has that nice touch.

Mr. Speaker, the Office of the Assembly should be and must be a completely non-political, non-partisan office. The Speaker is to be the head. In its greatest traditions and its best traditions, and really leaving alone greatest or best, the tradition of the Office of the Speaker and the Speaker himself is, in capitals, to be the non-partisan member of the House for as long as he is the Speaker; and with this Speaker, heading this Office of the Assembly, the whole office must be completely non-political and non-partisan.

The major officers of the Office of the Assembly, the Speaker as well as the deputy Speaker, the Clerk of the legislative assembly, the first assistant clerk, the Sergeant-at-Arms and all of their employees must be strictly non-partisan in all the duties that they perform and interested only in serving the members of the House and the business of the Legislature. Surely all this goes virtually without saying. The director of administration who is going to do the day-to-day work should be the handmaiden of the House, directly through the Speaker and through the influence of duly chosen members on all sides of the House.

Mr. Speaker, in short what I'm saying is that the members of this Board of Internal Economy, the board which will be advising the Speaker and directing the director of administration, should be the Speaker and other members of this House from both opposition and government caucuses, and definitely not just from among the members of the executive council, which would make the board partisan and government-influenced.

In fact rather than serving the members of the House they would be serving mainly the interests of the government. The board should be made up of the members of this House and must serve all members of the House. It would be distastefully paternalistic if the government's viewpoint of this bill is leave it to us men and women and we, the government, will ensure that the Board of Internal Economy will be non-partisan. That is such a distastefully paternalistic attitude, that I know of no more stronger way to say it than that.

Other aspects of the bill interest me, Mr. Speaker. The staff of the Office of the Assembly and all other staff—including all of our secretaries—will be neither civil servants nor public servants, I gather. They have been removed from both categories.

In the absence of any reference in the bill, I assume that they are eligible to form a bargaining unit and to choose a bargaining agent of their own, should they so desire. There is nothing in the bill to prevent it and they are not going to be covered by the Crown Employees Collective Bargaining Act, or any other provisions relating to civil or public servants in the Province of Ontario.

One other aspect of the bill concerns me. Being able to choose a bargaining agent of their own, should they so desire, will in time clear this up, but in the transfer over from public servants to employees of the Office of the Assembly, various benefits are transferred over relating to vacation and sick leave and superannuation and so on, in which the bill specifies they are to be at least equivalent to those benefits now in force. That's fine. But how are they to continue? How are they to continue and expand and receive additional benefits?

Mr. Haggerty: No job security at all.

Mr. Bounsall: There is no job security either; that's quite correct. Whether or not they have a bargaining agent to form themselves into a bargaining unit, is it the government's plan in this area to tie them to a civil service classification; and as those wages expand or vary, will they receive as a minimum at least those benefits? There is this type of question which we would definitely want some answers on in terms of what the government has in mind for the immediate future, if not the entire long-term future of all employees here.

A second major concern is the area relating to section 89, the board of inquiry. I would like to have some idea as to who might form this board of inquiry and of whom the board will consist. And what will be the procedure of appeal on the decision of the appointed board.

Nothing appears in the bill to provide an appeal of a decision by the board of inquiry or, indeed a reasonable grievance system at all.

In its absence, I can only assume that the government is encouraging them to form a bargaining unit and bargain very quickly for this type of protection; a protection that would allow them a certain degree of job security, and so on.

In thinking about what the government has in mind, and how they can, without putting it in the bill, say that employees aren't eligible for some sort of collective bargaining unit, it would appear to exclude them on the basis of confidentiality. That's an old catch word which management uses to keep an employee out of some bargaining unit.

I've talked about this from time to time when it has come up in the estimates of the Ministry of Labour—about it never really being a valid means of exclusion of any employee, because it is part of his job description. In this bill, it's quite clearly part of the job description. In fact, the oath which employees of the Office of the Assembly take lays that out specifically. So it becomes a condition of employment.

If an employee is found to have been indiscreet about information or documents of which he has knowledge, then he is simply fired. That is the major reason for firing from this office. But it certainly does not prevent these employees from forming themselves into a separate bargaining unit. I can well see the government perhaps being a little leary of them being in the same bargaining unit as the CSAO because of the confidential information which from time to time the members of the Office of Assembly have. That may well be the reason why they are not public servants or civil servants and are put into a separate category, although they have not been given any discouragement in this bill from forming their own separate and distinct bargaining unit should they so desire.

Mr. Speaker, I think those are all of the remarks I'd like to make on the bill except—

Mr. V. M. Singer (Downsview): Hear, hear.

Mr. Bounsall: Hear, hear—yes; except to make one other small point.

Mr. Ferrier: The member for Downsview is having a bad time getting on these days.

Mr. Bounsall: The bill indicates that the secretaries are to be paid from the moneys appropriated to this body, and it goes on at some length about how one can get an advance for expenses; but not in one simple section that I can find easily does it spell out very quickly and succinctly that this Office of the Assembly will in fact be dealing with the day-to-day monthly expenses, as we have been doing since around a year ago. It just doesn't say it very succinctly, as far as I can find. It's very specific for the secretaries, for research and for pre-accountable advances which are to be accountable, but it doesn't lay down very succinctly the current practice as we know it.

If the minister has a clause he can point to, I would be interested in seeing it. It's inherent in the bill; it is implied all the way through, but not very succinctly stated. I would think that might be something we would find in regulations, but on a very close reading of the bill, I can't see the normal section which appears in most bills about the making of regulations to accompany the Act, although I can recall one sort of an aside mentioned somewhere. I think maybe this aspect of the bill should be spelled out a little bit more clearly.

Finally, Mr. Speaker, none of the employees of the current House, and none of our own secretaries, have ever had an opportunity in connection with their own work to come before a committee of the House over a matter which so concerns them as this bill does and talk to us, as members of the Assembly, as members of the general public concerned about a specific interest. Considering the amount of time it might take to have the normal employees, including our secretaries, come before us and tell us openly how they feel about the bill and how they feel about their jobs, I would like to urge the minister to send this bill to a committee of the House for the purpose of their addressing us.

Mr. M. Cassidy (Ottawa Centre): Excellent idea.

Mr. Speaker: The hon. member for Downsview.

Mr. Singer: Mr. Speaker, there are several interesting aspects to this bill, which I think can be appropriately labelled, because of these aspects of this bill, the "snow job." It has no particular relationship to any particular member, but if any particular member feels identified by that definition, so be it.

The particular sections that I am concerned with are at the bottom of page 2 and the top of page 3; those relate to an apparent equitable distribution of the financial resources of the Province of Ontario, as amongst all members of the House. Unfortunately, Mr. Speaker, some members appear to be more equal than other members.

Mrs. Campbell: Of course.

Mr. Singer: Before I read section 2(c), may I point out that we have followed with very great interest the achievements, the appointments and the new emoluments of office that our 74 Tory colleagues have achieved. We have done some research on this, and we have been able to identify more than 70 of them who have other responsibilities, in addition to their responsibility of being private members. For instance, Mr. Speaker, some 26 of them are cabinet ministers. A number that we can't calculate at the moment are parliamentary assistants. We have some on the liquor board, some on the Northland Transportation Commission, some on the St. Lawrence Parkway, some on the Niagara Parkway—

Hon. T. L. Wells (Minister of Education): How about the Don Valley Parkway?

Mr. Singer: —some on the Racing Commission, some on the Hydro commission. Name a government institution and there is a government member who is there.

Now I have no objection. After all, the Tories did win the last election and they have the power to do that. What concerns me, Mr. Speaker, is that when we have added up all of those numbers, 26 cabinet ministers and X number of parliamentary assistants, board members and committee chairmen and all these other things, we have only found two or maybe three—one of my colleagues told me tonight he thought there were three—back-bench Tories who haven't got an extra job.

Mr. Lewis: Who are they?

Mr. Singer: Well, we can, I think, I would so identify the fellow from St. Catharines, the member for St. Catharines (Mr. Johnston). I don't think he's got an extra job.

Mr. Lewis: That's one piece of justice.

Mr. Singer: Nor have the member for Humber (Mr. Leluk) or the member for Prescott and Russell (Mr. Belanger). These are the only three that we have been able to identify. Maybe I'm wrong, but I don't think

there are any others. Of the 74, only three are we able to identify who don't have extra pay.

What does extra pay involve? Extra pay involves an office, a civil service, car and a secretary—

Interjection by an hon. member.

Mr. Singer: Oh, yes. Secretaries, executive assistants, additional mailing privileges, additional expense allowances and so on. Maybe those are some of the emoluments of office, or "to the winners go the spoils" or whatever.

Mr. J. R. Breithaupt (Kitchener): Even the vice-chairman of Hydro.

Mr. Singer: Even the vice-chairman of Hydro. I saw him today. I saw his car when I came up at noon, sitting there with the chauffeur waiting anxiously. He got in and he had his friend, the member for Prince Edward-Lennox (Mr. J. A. Taylor), get in the back seat. The vice-chairman got in the front seat and off they went to lunch.

Mr. Reid: Did he push the button on the automatic seatbelt?

Mr. Singer: I'm sure it was very important that they had those additional emoluments of office to better enable the vice-chairman of Hydro to be able to carry on his duties. I can't quarrel with that. If he is doing a job as vice-chairman of Hydro, he should have all those additional privileges.

What bothers me, Mr. Speaker, is this. Let's look now at the section at the bottom of page 2 in this Act: ". . . for the use of the caucus of the government, the caucus of the official opposition . . ." and it is calculated on a per member basis. Let us recognize it. We have 74 Tories, 23 Liberals and 20 NDP, so it is done on a per capita basis when you get down that far in the Act.

Mr. Reid: On the other hand, if there are a few more by-elections we will have them beat.

Mr. Singer: Mr. Speaker, I only single out the vice-chairman of Hydro because I happened to see his car at lunch time, no personal vendetta. But he has the facilities of a car and a driver, and an office down at Hydro and a secretary, and probably several executive assistants, speech writers and so on; and so do 70 of the 73 of them. Other than by reason of the "snow job," why should these allowances be calculated on a per member basis when the Tories have looked after so well 70 of 73 of their members? I think it's unfair, I think it's unreasonable, and I think it's irrational.

I would think that the least the government could do regarding this section 69(c), which is mentioned in section 2 and at the bottom of page 2 of the Act, and the least the hon. minister who introduces this could do, if he wants to escape the continuous opprobrium which is going to be attached to this—because we are going to call it "the Snow job" henceforth and forever and a day more—is to say "unless services are otherwise provided." That would eliminate he and his colleague, the Minister of Health (Mr. Miller) and all the gentlemen who occupy the front benches. We can run along one, two, three, four cabinet ministers; and the whip. What's the gentlemen down at the end? The member for Port Hope? He's got a job—it just slips my mind. The member in the back bench, the deputy assistant to the Minister of Agriculture and Food (Mr. Eaton); the lady member for St. David (Mrs. Scrivener) in Housing: the hon. member for Wellington-Dufferin (Mr. Root)—what is the hon. member for Wellington?—Water Resources, Hydro—

Mr. Good: Niagara Parks Commission.

Mr. Singer: —deputy Speaker. All these people should be eliminated from this because they have these facilities already once, twice, three or four times. They have secretaries, they have personal assistants, they have speech writers, they have cars, they have drivers. Now why, again, should it again be in the statute, so that they overbalance beyond all proportion the facilities that are in fact provided to the opposition?

You know, Mr. Speaker, when I walk in the north door and I see those sacks and sacks of mail that sit there every day, and I wander down into the lower regions in the north wing and see the government print shop and see how busy it is and how many people they have in there and the amount of—propaganda?—literature, information that's churned out every day, I must admit, in jealousy my tongue hangs out. I wonder, how can those members, who are apparently equal to us because we're all members together, afford to do all this? Because to get one mailing out of myself, as a private member for Downsview, the very—

Mr. Reid: Humble.

Interjections by hon. members.

Mr. Singer: –humble, minor member for Downsview, to get one piece of literature out I have to work weeks and weeks and weeks, spend money out of my own pocket; I just wonder how all these sacks of mail go out, day after day after day, out of the government print room.

I've thought about this, Mr. Speaker, and when the Snow bill presented the snow job I began to put figures together and came to the conclusion that some people are more equal than others. I think that it would only be fair if the minister could admit that perhaps he's overstated the fact, and those like him who have all of the facilities of the ministry – cars and secretaries and assistants and that sort of thing–should opt out of this and it shouldn't be given as a credit to a government caucus member.

Even you, sir–and I would be the last one to throw any opprobrium on the Speaker's position–where the Legislature votes a substantial amount of dollars for the Speaker's office, surely it makes no sense that we should provide in this section of the Act additional money on behalf of the Speaker because he happens to have been elected as a Conservative member or as a government member.

We feel the Speaker has to be looked after. He has to have an apartment and he has to have facilities and he has to have a car and a driver and all these things. Why should he, in addition, have an allotment that is substantially directed to producing–propaganda?–propaganda for the Tories to convince whoever might be convinced by the propaganda that the Tories are an important element in the legislative scheme of Ontario?

Then, Mr. Speaker, if you'll come with me along through this section and on to page 3, there's an amendment at the bottom of section 2 which is an amendment to section 70. There's a very interesting phrase that I suspect–I don't know; and it's very unfair I suppose to attribute motives to anyone–but I suspect that Mr. Camp might have put in the words "or personal assistant."

You see, it's very important and, Mr. Speaker, you should know, that each member have a secretary. Now some members are fortunate enough that in addition to having secretaries they have personal assistants. I've taken the trouble to look at the Camp report, and the Camp report stressed that facilities should be provided to each member for a secretary. Where the phrase "personal assistant" originated, I don't really know. I suspect somewhere between the original writing of the report and the drafting of the bill somebody scratched his head and said: "Well, my goodness, I already have a secretary, but why can't I get twice as much money? Why shouldn't I have a personal assistant too?"

So when you take the lowly people who sit on this side of the House who already have secretaries, and you subtract from them those who might already have secretaries but who also have the privilege of having personal assistants, what the Snow job does is to provide additional money for those who happen to find themselves in that very fortunate position.

All I am saying, Mr. Speaker, is this: If this is done in the name of equity and fairness, it is a fraud. That's all. If this is done on the basis of equalizing the opportunity of members to have the same kind of facilities, it is untrue. If this is done on the basis of trying to provide opposition members with the same kind of facilities that government members are provided with, it is a calculated political scheme to enable the government party to have advantage of public money to advance its own position. I say, for those reasons, Mr. Speaker, it is a snare, it is a delusion, it is a snow job and it should not be supported.

I would think that the least the minister who has introduced this can do is to say that where any member is in receipt of emoluments of government beneficence–if he is a cabinet minister, if he is a parliamentary assistant, if he is a member of a commission, he has these additional duties which provide him with cars and secretaries and personal assistants and so on–there shouldn't be an extra sum of money, there should not be an extra sum of money which will accrue to the benefit of his caucus solely for political purposes, and this is what is happening.

So I urge you, Mr. Speaker, because you are a fair man–I know you are a fair man; you have told me that many times–I would urge you, Mr. Speaker, to impress that upon your colleagues and–

Mr. Speaker: I will send a copy of this Hansard out to my constitutents, in view of what you are saying.

Mr. Ferrier: This must be important, Mr. Speaker.

Mr. Singer: Oh yes, you can quote that to your constituents. I urge that you would impress upon your colleagues the importance

of being fair in a matter of such serious consequence as this one.

Mr. Speaker: The member for Scarborough—

Mr. Lewis: West.

Mr. Speaker: West.

Mr. Lewis: Thank you. Even though my riding has been altered, it is still Scarborough West.

Mr. Speaker, just a brief word. I support most of the criticisms which have been levelled from this side of the House, raising a number of points which I think are really quite telling. Certainly the point being made by the member for Downsview should not be treated lightly by the minister. There is an enormous unfairness about the special privileges which attach to a number of government members; perhaps not to all of them. I notice that the parliamentary assistant to the Minister of Agriculture and Food was looking rather surprised to learn that he had a car and a driver and a number of other emoluments he hadn't yet recognized he was entitled to.

Mr. R. G. Eaton (Middlesex South): I am going to speak after the member on this.

Mr. Breithaupt: He is slower than most.

Mr. Lewis: Well he is not so slow. He is easing his way into that portfolio fairly quickly, I would say.

Mr. Breithaupt: It is amazing what style can do.

Mr. Lewis: But the reality of additional secretaries, assistants and special help for a large number of so-called back-benchers is true, and it does give the government a very disproportionate advantage, which it chooses to continue to exercise. I suppose one can be fairly philosophic about it because, frankly—

Mr. Breithaupt: We won't.

Mr. Lewis: —well I know the Liberals—my own sense is that it is only going to last for a few months longer and maybe this self-indulgent orgy which the Tories are having right now of lavishing these special privileges to themselves, subject to the public criticism that flows intermittently, and simply reinforces the general image of the Tories in Ontario—which is not a happy one—maybe this is a self-destructive impulse which we should encourage rather than decry. I don't know. I personally think they are beyond redemption anyway, so I am not going to spend time on it.

What I want to raise with the minister, apart from all of the things that have been said about the Board of Internal Economy and many of the deficiencies of the bill, is a quite separate and specific matter. In every reorganization of this kind, some group gets squeezed, some group is under-represented, some group is left out. It has always been true, even in terms of regional government, I put it to you, Mr. Speaker. Regional government has always been discussed in every aspect without ever consulting the employees who are involved in the transition, and very often for the employees—witness regional government in Niagara—the transition is extremely painful.

Mr. Speaker, what I would like to raise with the Minister of Government Services is the need to make a special effort—which is not contained in this bill—to protect those employees, not many in number, who are now attached to the Legislature in whatever function—at the table, as attendants to the Speaker's office, or to the Clerk's office about to become part of the Speaker's office—and I want to say to the minister, through the Speaker, that that group of employees is essentially without defence.

In our caucus we have a union with a collective agreement that can bargain toughly and can even, through us as a caucus, get the Premier and the minister to make some changes, which he has done and which we appreciate.

The secretaries in the Liberal caucus and the secretaries in the Tory caucus have their own members to act as a lobby for them; and the nature of the club being what it is, they can achieve some success.

But the group of employees who in this bill have no representation at all, except what the government chooses to give them, almost out of goodwill, are the people who have served the assembly loyally for a number of years, who are now on the assembly staff and are about to become part of the Speaker's staff or are already part of the Speaker's staff—I'm not sure of the transitional element.

Mr. Speaker, if I can put it to you, and perhaps you will then put it to the minister, who has to leave for whatever reason—I'm just going to wait a moment to find out whether he's gone.

Hon. Mr. Snow: Be right back.

Mr. J. E. Stokes (Thunder Bay): The Speaker isn't here, and now the minister has left.

Mr. Lewis: I presume the minister has left for whatever good reason.

Mr. Stokes: For the usual reasons?

Mr. Lewis: No, he was called out.

Mr. Reid: He's not going out to be human; he's going out to answer a phone call.

Mr. Lewis: But it is a bit much that the Speaker is not here, although the member for York North (Mr. W. Hodgson) performs that function well. The House leader isn't here, and now the Minister of Government Services isn't here. I'm holding the floor, but I'm waiting for his return.

Mr. Speaker: Why doesn't the member for Scarborough West just carry on? It will all be recorded.

Mr. Lewis: No, I want to speak directly. I'm glad to have my words in Hansard. It causes as much of a nightmare to me to read them afterwards as it does to almost anyone else. I regret ever having spoken when I have to look at the instant Hansard, but I really think—

An hon. member: The member doesn't read it.

Mr. Lewis: I don't have to. My colleague from Riverdale walked out. I'm stopping; I'll wait until the minister comes back. We'll have a pause.

Mr. Speaker: Is there another speaker who wishes to take part in the debate?

Mr. Lewis: No, I'm not going to relinquish the floor. I see no point in this. We don't have to participate—

Mr. Speaker: Maybe some other member would like to take part while the minister's absent if the member for Scarborough West doesn't care to take part.

Mr. Lewis: I'm sure the members of the opposition—here's the minister coming back.

Mr. Speaker: Does any other member like to take part in the debate?

Mr. Lewis: No, the minister is coming back, and I'll speak to the minister now. I understand that the minister left for a specific reason.

Mr. Stokes: Boy, the Speaker is arrogant. He is getting just as bad as some of the others.

Mr. P. D. Lawlor (Lakeshore): If we haven't got the minister to talk to, let's have it.

Mr. Speaker: Thank you very much, the member for Thunder Bay.

Mr. Lewis: He just wanted to make sure that when the Speaker sent out that Hansard, everything is contained in it.

It becomes pointless—well, I understand the minister went for a specific reason; I've no objection, of course.

Mr. Lawlor: He wanted to give himself some relief from his ministerial responsibilities.

Mr. Lewis: May I just raise with the minister, then, that this is not a casual matter. I don't know how we write in the protection for this group of workers, but I urge him that it has to be written in; and when we come to clause by clause we will try to find a way.

This group of workers obviously hoped that they might become part of the CSAO at some stage. That has been denied them. Are they to be pegged to a level in the Civil Service Association without consultation and negotiation?

When we wanted to negotiate salaries for our secretaries to the NDP caucus, we went to the Camp commission, to the ministers of the government and to Mr. Fleming. We've been making the case that they should be plugged into the civil service levels at a certain classification rate. We have been making the case on their behalf, fighting it through with them and on their behalf.

Who does it, Mr. Speaker, for the attendants in the legislative assembly? Who does it for all the people who have been serving this assembly and do serve this assembly fully? Who represents them? What right have they to go before the Board of Internal Economy to make the case whether as a formal bargaining unit—

Mr. Stokes: The Hansard staff.

Mr. Lewis: Yes, my colleague from Thunder Bay mentions the entire Hansard staff, to boot—all of these people who are part of the Legislature, who are absolutely indispensable to its functioning. It is not without significance that in the process of drafting the bill, any effort to enshrine the rights of

this group in a democratic and collective way is absent. There's a kind of gratuitous reference in the bill, but without any guarantees at all. It is just a kind of crazy human instinct that those upon whom we rely most heavily are always most expendable in any reorganization. I don't care what level of government it is, it seems to work invariably in that fashion.

I appeal through the Speaker to the minister that all of those who are brought into the Speaker's office by way of attendants, Hansard staff, and those in the Legislature, be consulted as a group or that representatives whom they choose be consulted as a group before their salaries are pegged to civil servant levels, that they be entitled automatically, to whatever increases the Civil Service Association may negotiate for itself and whatever settlement we arrive at this month, hopefully avoiding a strike on Jan. 1; that all of those increases be automatically passed on to this group of people, that this group of people be given a formal status to come before the Board of Internal Economy to make representation whether on wages or fringe benefits or grievance; and that we do not treat most shabbily the people on whom we rely most heavily.

It just is not possible that it should be approached that way. It really worries us that that's what is happening, that that's the group we are taking for granted and that that's the group we deal with in a paragraph and assume that everything will settle itself. They have had no collective bargaining rights at all.

I know as leader of my party and I know the member for Wentworth as House leader of my party and I know the member for Thunder Bay as whip have approached people in the government on behalf of our secretaries. We are fighting about classification levels now. We are disagreeing with the Camp recommendations. We are making thoughtful and careful cases to indicate what the level should be. I suspect that will be true for other caucuses.

Who is doing it for the people who serve the assembly? No one. They have no recourse, and that's wrong. I say to you, Mr. Speaker, whatever other alterations are made to this bill, I urge you to set up an apparatus which, first of all, allows for consultation when you determine the wage levels; secondly, allows for automatic increases pegged to any increases granted any other government employees in the course of their collective bargaining; thirdly, allows some kind of formal representation to the Board of Internal Economy or to the Speaker directly, but preferably to the Board of Internal Economy, so that this group of employees doesn't find itself stranded when we have run through to royal assent, as would now be the case, I want to say to you, if we don't give it some very, very special consideration.

Mr. Speaker: The hon. member for Lakeshore.

Mr. Lawlor: Mr. Speaker, or the surrogate thereof, please convey to the Speaker of this House, whose special precincts and whose special domain is this particular legislation, that there is not written into it any protection or security, job or otherwise for the clerks and other people in this Legislature and, as my leader has mentioned, all those other people who are involved. There is no appeal procedure. At least under the civil service regulations, if they are dismissed from their job, they have a right to be heard and justification is given and the lines laid down.

If it's discrimination, if it's will-o'-the-wisp, if it's whimsical, if it hasn't got basis of soundness, then at least they have a hearing and they can be reinstated. Here the power is arbitrary, the sword falls, they are finished. There is no justification; it can't go beyond the Speaker. Surely that was not the intent. Surely this government and the Speaker of this House don't want arbitrary powers in that way and would wish their powers to be subject to review like every other.

On one side, the bill places them within and brings them within the purview of civil service benefits of various kinds — pensions benefits, insurance benefits and all that sort of thing. Provision is made for that. But as for the fundamental thing which is the most requisite in their lives, knowing where they stand in their security, they are left out. They hang. That is not fair and that is not just.

I make a particular appeal this evening to the Speaker to make this provision now. We will try during the committee stage of this bill—and I hope you are amenable and accede in advance to this possibility—to have some appeal procedure, some review powers as to status, qualifications and responsibility, provided within the purview of this legislation, and hope that there will be no quarrel and that the government party does not throw its weight against it. It seems necessary to me.

It gives them a sense of belonging. It gives them a sense of the full plenitudes of what has already, through long tradition and by great custom in this House, been finally won

by hard measures, and it can't be dismissed overnight simply because we happen to pass a bill because Mr. Camp and others see fit to strip them of these prerogatives. Nor will we in the New Democratic Party accede to that. We will fight it. But what we are hoping for is a certain amount of suavity on this occasion, and that the Speaker's office will see fit to grant security of tenure at least in this particular regard.

Mr. Speaker: The hon. member for Rainy River.

Mr. Reid: Thank you, Mr. Speaker. I too rise to reiterate the sentiments that have been expressed by the last two speakers. I have spoken to a number of the people in this assembly and in the environs of this House whom I consider not only to be servants of the people but friends of mine and to whom I would hope I could speak freely, and they expressed the concerns that have already been put to you, sir, about just what is going to happen to them.

The intent of the bill obviously is that the House itself and the environs—the physical plant, if you like—that we inhabit, will come under the direct control of the Speaker of the House. I don't think that we have much quarrel with that, sir, because it would have to be a better operation than presently exists.

I recall when I came down here, Mr. Speaker, seven years ago at the tender age of 24 years, recently elected, coming to the Ontario Legislature, seeing what the facilities were and saying to myself, "I wouldn't run a hotdog stand the way the Ontario Legislature is run." And I felt, Mr. Speaker, even at that tender age of 24, somewhat demeaned to find that as a representative of some 35,000 people, representing one of the 117 ridings in the Province of Ontario, sent down here with the responsibility to make and indirectly enforce the laws—maybe even more importantly for some people, spend their money—I was relegated to an office with four other members about maybe twice the size of the office I now inhabit, with a group of secretaries—a steno pool, I believe it is called, up on the fourth floor—the names and faces of whom I never saw. These were the facilities that I was presented with to represent the people who had elected me and sent me down here to the Ontario Legislature to represent them and to do a job for them.

I am told, Mr. Speaker, that prior to my coming down here in 1967—and not too much prior to that—the services and facilities were even less than that. I am told that within living memory of most members of the House—the majority of whom I would suppose came in in 1963—they would come up to the lobby or even sit in their seats in the House with a stenographer that they might have seconded from somewhere, and they would dictate their letters sitting in their seats in the House—and this was, of course, obviously outside of sitting hours; in the morning—because this was the only private place they could find.

I have made this speech before perhaps, and not necessarily in the House. We're spending—depending on which figures the Treasurer (Mr. White) wants to give us—some $8.5 billion of public money and yet we have the facilities that we have and that we have only enjoyed recently; which bothers me, Mr. Speaker, because my constituents say, "Why didn't you answer my letter within two days?" or "Why didn't I hear from you?"

As a rural member, coming from a rural riding 1,200 miles from Toronto, not having the kind of facilities that are available to the urban members or those located closer to Toronto where they have a full medical staff with all the experts, where they have a full legal staff with all the experts, all the professional people, where they have all the welfare and social services available at the end of their finger if they can use the yellow pages, I have probably a heavier constituency load than most, and I am sure that all the members that come from those kinds of areas do.

It bothers me, Mr. Speaker, that I should look at this bill and see what is provided for the government and what is provided for the opposition. I want to say that the propositions put forth in this bill by the government and by the Minister of Government Services show extreme arrogance, extreme callousness, an abnegation of the democratic principle.

We have already been over the fact that perhaps there may be provided a special assistance for those back-benchers of the government party. It has already been suggested that government ministers, parliamentary assistants and others who have emoluments, such as the chairman of the Crop Insurance Commission, vice-chairman of Hydro—whatever you have—have the kind of facilities that we in the opposition do not have.

It seems to me, Mr. Speaker, that if the government appreciated the democratic system and the difference between our system and a totalitarian system, it really boils down to this—simply that in the democratic system

there is an opposition, a vocal opposition, hopefully a prepared opposition, and hopefully an opposition that has the facilities to do the proper job. Well, it requires funds to do the proper job.

We have been criticized, and the party to my left has been criticized, because sometimes the media says we do not do an effective job. I can tell you, Mr. Speaker, that sometimes I can't do that job because I don't have the facilities to do it.

If I could draw upon my experience as a member of the select committee on the rules and procedures of the Legislature of some four years ago, we went—as my leader is fond of saying—we, as did all select committees, went to California.

Mr. Stokes: Not all.

Mr. Reid: Well, some of them go to Florida.

Mr. A. Carruthers (Durham): Not all.

Mr. Reid: If you are the drainage committee and it's the winter, it depends what turns you on, I suppose.

An hon. member: Suppose it's a harem?

Mr. Reid: But we went to California, Mr. Speaker, and let me tell you very briefly what they provide there for the opposition.

First of all, they provide a larger budget for the opposition than they do for the governing party, based on the proposition, Mr. Speaker—

Hon. Mr. Wells: There is no opposition.

Mr. Reid: —that the government has all the resources of the civil service at its command to prepare its budgets, to prepare its estimates, to make the apologies and to make the arguments for the government. Obviously the Legislature of the State of California feels that that should be equalized to a greater extent by providing greater funds and greater material benefits to the opposition so that they can do an effective job in criticizing the ruling or governing party.

Hon. Mr. Wells: The member doesn't understand.

Mr. Reid: I don't understand what?

Hon. Mr. Wells: There is no opposition in California.

Mrs. Campbell: Oh, but we understand.

Mr. Reid: Oh, well.

Hon. Mr. Wells: All the members in the House there are equal.

Mrs. Campbell: Not like here!

Mr. Reid: Well, there certainly is a difference.

Mr. Cassidy: Not like here, that's right.

An hon. member: Not like here.

Mr. Reid: I might say, Mr. Speaker—

Hon. Mr. Wells: It is a completely different system. If the hon. member wants the American system of government—

Mr. Reid: I am not suggesting that. I am suggesting that probably in that particular state they may have—

Mr. Cassidy: The inequalities of the democratic system.

Mr. Reid: —a much finer appreciation of just how government works than this government does, because they provide the material benefits, the money, the funds, and the bodies to provide an effective opposition. Even with the small resource that we have, I would say we have done a pretty good job. But we have had a lot of help and assistance from the governing benches over there; because we can sit here almost daily and not say anything and they would destroy themselves.

Hon. Mr. Wells: Every member of their House gets a car.

Mr. Haggerty: The minister has one; hasn't he?

Mr. Reid: Mr. Speaker, the member for Downsview touched on the one point that—I don't want to go into personalities. I don't want to name members, because I believe there are only three of them left; three, Mr. Speaker, out of 74. That means that there are 71 of the "big blue machine" over there who are drawing extra money, who have some position with the government, who are not what we refer to as ordinary back-benchers interested in government legislation and interested in the goings-on and proceedigns in this House. There are only three of those poor souls who have been passed over by whoever runs the Conservative government offices.

Mr. Haggerty: And they missed them in this bill.

Mr. Ferrier: Isn't the hon. member the chairman of the public accounts committee too?

Mr. Reid: And we wonder, Mr. Speaker, what sins those three people could have committed that wouldn't allow them into the largesse that the governing body, the Conservative Party in the province, has to offer. We could name them—

Mr. F. Young (Yorkview): The member took one of their jobs away from them.

Mr. Stokes: What about the chairman of the public accounts committee?

Mr. Reid: We could name them, but to no good purpose, Mr. Speaker; because we wouldn't want to single them out for any more ridicule or scorn than they already suffer at the hands of their colleagues.

An hon. member: So deservedly.

Mr. Reid: Not to have an extra job in the Tory caucus is to be a leper, really, because everybody else has. When there are three out of 74 who don't have something extra, Mr. Speaker, surely the disgrace of it all really—

Mr. P. G. Givens (York-Forest Hill): Have they got a complaint under the Human Rights Commission?

Mr. Reid: —must be frustrating, discouraging and heart-breaking in the extreme.

Mr. Givens: Have they got a complaint under the Human Rights Commission?

Mr. Reid: As a matter of fact, my friend, the member for York-Forest Hill, suggests that perhaps they should make a complaint under the Human Rights Code for discrimination against them.

I hate to mention this, now that it has been suggested, but two of them are non-Wasps. Perhaps, Mr. Speaker, that is a sin in that party. However, I would think that they have something to complain about.

I go back, Mr. Speaker, to the fact that under the provisions of this bill, the opposition parties are not provided for to the extent that they should be. I think it's generally known, at least in our party, that we have to find funds outside of what the government provides to pay for our research and other services that we feel we need and require in this Legislature.

Mr. Good: And that should never have had to happen.

Mr. Reid: This, Mr. Speaker, I think goes entirely against the spirit of the Camp commission. They said we should not rely upon outside donations, especially for these kind of purposes, in order to do an effective job in the Legislature.

As the member for Downsview has pointed out, sections 2 and 3 limit us severely. It's a two-edged sword that's cutting us both ways. It's not the ordinary two-edged sword, where there's a benefit and a non-benefit. We are getting cut both ways.

On the one hand, the government is providing for itself very well indeed, thank you. We have to ask ourselves, for instance, if the salaries of the people in the Premier's office are paid out of this bill. Not very likely. There's a separate appropriation. And yet we have seen since the present Premier took over that the personnel complement and the salaries have more than quadrupled in that particular office. We can go through each ministry and find the same thing. And we can go down through the parliamentary assistants and others to show that the government is very well looked after indeed, to the detriment not only of the people of the province, but the corresponding provisions have not been made and, in fact, are not made in this bill.

Why, for instance, Mr. Speaker, should the appropriation for research be based on the smallest party in the Legislature? I refer you to section 69, clauses (c) and (e). We've already gone over the proposition dealing with personal assistants and it bothers me somewhat, Mr. Speaker, that it is not named in the bill what level our secretaries are going to operate at. A lot of things are taken for granted, as to each party's appropriation, as to what level the secretaries will be pegged at, or what category they'll be placed in, but there's nothing particular in the bill about it.

I want to say something directly to the Minister of Government Services about this, through you, Mr. Speaker. I have a secretary who has been with me for some 4½ or five years now. For that she deserves a medal, if not a large salary.

Mr. Cassidy: He's right there, yes.

Mr. Reid: Well, we're in agreement on something. But she does an excellent job for me, Mr. Speaker. I would say that she is one of the best, if not the best secretary, in the Ontario Legislature. I have no qualms about saying that. Some other members may put their secretaries in that category. But she has been with me for almost five years. I look

upon her and, hopefully, treat her as my executive assistant; not as a secretary but as my executive assistant. Many of the matters relating to my constituency, she can handle. Many of the matters relating to research, she can handle, and does more than adequately. And yet, I see no provision made for her in this bill. I see no specific category laid out for her in this bill. I see no specific protection made for her.

Mr. Young: Let her join our union.

Mr. Reid: Well, she's had that offer, but she also has a soul and she wants to stay where her spirit is.

Mr. Cassidy: Maybe the Liberal caucus is anti-union, eh?

Mr. Reid: But what I want to say also, Mr. Speaker, is that my secretary is that kind of person and yet I don't see the protection here for her. What I do see are a whole lot more of Tory hacks and Tory hangers-on hired by the Conservative Party.

I want to bring to the Minister of Government Services this particular point, and it may be wasted on him, particularly in view of this bill. He has, under his ministry, a group called the citizens' inquiry branch. As I understand this—and I'm saving the greater part of this speech for another occasion, Mr. Speaker—

An hon. member: Good.

Mr. Reid: —the citizens' inquiry branch comes under the Minister of Government Services. And as I understand it, Mr. Speaker, if people phone or write just to the government, or they say they have a complaint and they don't know who their member is or where to go, it is referred to the citizens' inquiry branch.

I don't have the figures with me, because I didn't intend to speak on this particular aspect tonight, but I want to use this as an illustration. At last calling, as I recall, one of the people—who, as far as I'm concerned, does the same job as my secretary—is getting $14,000 or $15,000 a year. What that particular person does, Mr. Speaker, is this: If a letter comes in addressed to the government or addressed to a general department, or is a complaint of some kind, it's directed to the citizens' inquiry branch, that particular person takes it, looks into the matter, goes through all the government departments, provincially or federally, finds out what he or she can, writes back the person who wrote the letter or made the phone call and says, "I have looked into your problem and here is the answer."

I will not grab at figures because I can't remember the exact figure; all I know is that one of the persons who does that kind of work gets in the neighbourhood of $14,000. Mr. Speaker, my secretary does that and more every day of every week in every year.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Except Saturday and Sunday.

Mr. Reid: Well, even on Saturdays and Sundays. I am glad the member for Sault Ste. Marie said that, because often she will phone me on a weekend and say, "I tried to get hold of you, but I had this problem. What should I do?" Or "I have looked after this."

Mr. Young: That's exploitation.

Mr. Reid: Well, 1,200 miles is a long way away for that kind of thing. But she now gets in the neighbourhood of $150 a week, and it is not that much; $600 a month or $7,200 a year, which is less than half, Mr. Speaker, what the people in the citizens' inquiry branch get, not for doing substantially the same job, but more than that job.

Mr. Young: She needs to join our union.

Mr. Reid: I want to protest, Mr. Speaker. That is not correct; it is not fair; it is not right.

I want to say something about the Office of the Assembly and the director of administration. This bill was introduced on Dec. 5, and we are now in second reading. We haven't had the Camp report that long perhaps; I forget exactly what date it was introduced here.

Hon. Mr. Snow: December, 1973.

Mr. Reid: December, 1973? Well, we have had it for a long time—

Hon. Mr. Snow: For a year.

Mr. Reid: We have had it for a year. Okay.

Mr. Breithaupt: But no bill.

Mr. Reid: No bill, of course. But it was interesting to note, Mr. Speaker, that in the arrogance of the government, and perhaps of the Minister of Government Services, I don't feel that he is entirely responsible—

Mrs. Campbell: None of them are.

Mr. Reid: —the refurbishing of the office downstairs, where the old post office was, has

been going on for some time. It is going to be a very nice office indeed, in royal blue. It is going to have the great wooden desk—

Mr. Breithaupt: Marble.

Mr. Reid: —the marble columns. It will have the nice view looking out upon the members' parking lot to the north.

Hon. Mr. Rhodes: Sounds like Trudeau's office.

Mr. Reid: But it is going to be very spacious, it is going to be very comfortable, thank you very much, and no doubt will have one cabinet over in the corner against the wall that will provide the necessary refreshments for any of those who might happen to drop in.

I don't complain about Mr. Fleming, who obviously is already ensconced in those offices and who was the secretary to the Camp commission. I am sure we will find some other person to replace him in the Camp commission, which will go on and on and on until the government changes in the next election. I am sure it will.

But the supreme arrogance is going through with all these changes before the bill has even reached the Legislature, let alone been passed. It is maybe a small thing and perhaps, in the context of the government's majority, not an important one. I don't know Mr. Fleming's qualifications—

Hon. Mr. Snow: The funds have been supplied for the members' secretaries since April; the member is not complaining about that.

Mr. Reid: What's that? I didn't hear the minister.

Hon. Mr. Snow: I said the funds have been supplied for the additional services since April, and the member is not complaining about that, although the bill is still not through at the middle of December.

Mr. Reid: They haven't got the money.

Hon. Mr. Snow: They have got the money.

Mr. Reid: The secretaries haven't got—

Hon. Mr. Rhodes: Aha, what has the member been doing with it?

Hon. Mr. Snow: $200 a week since April for his secretary and only paying her $150.

Mr. Stokes: Shame, shame.

Hon. Mr. Rhodes. The shame of it all. Now we know how he financed that last leadership convention.

Mr. Speaker: Will the hon. member for Rainy River continue?

Mr. Reid: Oh no, let's make it perfectly clear the secretaries have not got the money. Until this bill is passed they are not going to get the money.

Mr. Good: They can't give it to us until this legislation is passed.

Hon. Mr. Rhodes: Are the members opposite going to pay them the interest?

Mr. Good: Retroactively.

Mr. Speaker: Will the hon. member continue?

Mr. Reid: The money has not been paid and it's not available to the secretaries. They may get it retroactively.

An hon. member: Sure they will.

Mr. Reid: And I believe they deserve it. It's long overdue but we don't have it. I don't have it and if I did she would have had it a long time ago.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): The member would have had it spent; I know that. Good thing he hasn't got it.

An hon. member: The ministry said they can't pay it until the bill is passed.

Mr. Reid: Certainly, but the minister is trying to confuse the issue. There's a difference between giving an employee the back pay that he or she deserves and setting up offices and making all the refurbishings. I wonder, just as a matter of interest, Mr. Speaker, if the Minister of Government Services would inform us just how much that refurbishing is going to cost us or is costing us and what Mr. Fleming's salary is going to be, because I can bet him—as a matter of fact I'll give him a bet—that his salary is going to be substantially more than that of any member of this Legislature.

Mrs. Campbell: And his staff.

Mr. Reid: If it's under $20,000 I will be most surprised. Is it over $20,000?

Hon. Mr. Snow: I don't know. He is an employee of the Legislature.

Mr. Reid: Yes. You see, that is the other thing, and the only point I want to make on this bill is this, Mr. Speaker. I have all the confidence in the world in Mr. Speaker Rowe. I must say I had my reservations about Mr. Speaker Rowe, but I think he is doing an excellent job. Again in this bill, as in most legislation that has come before the House lately—and this is something that the government seems to have got in its craw in the last year or two—is the kind of discretion that we are left at and the people of Ontario are left at of the various government ministries, and now you're asking us to do it with the Speaker.

We've already heard the argument about the people who work in this House and the environs and how there is no protection built into this bill for them. Everything else in this bill relates primarily to the discretion of the House except those matters that restrict the money available for the functioning of the opposition. Everything else is at the discretion of the Speaker.

As I say, we have the utmost regard for and belief in the present Speaker, but we feel that these matters should be set down by law so that we have some guidelines to go upon, because in my time in this Legislature we've had—I won't say some, we've only had three—but we've had one Speaker to whom under no circumstances would I allow him the discretion that we're giving him under this bill. The Speakers can change for one reason or another, Mr. Speaker, with all due respect.

So I'm most unhappy, Mr. Speaker, with many provisions of this bill. I would hope that the Minister of Government Services, as is his usual wont, will give some serious consideration to the arguments put forward by the opposition.

Mr. Speaker: The hon. member for Middlesex South.

Mr. Eaton: Mr. Speaker, I'd just like to say a very few quick words on this. I think I can, perhaps, support the position of the member for Downsview, who said we shouldn't have all these extra amounts of money coming into our caucus, providing we were getting all the amenities that he referred to as parliamentary assistants.

Mr. Haggerty: Where did the money go, then?

Mr. Stokes: What does the member for Middlesex South get?

Mr. Eaton: He refers to speech writers and executive assistants, which we do not have.

Mr. Carruthers: Motor cars.

Mr. Eaton: Now, either this is an indication that he and the member for Rainy River do need assistance from research to get their facts straight, or he is intentionally trying to mislead the public into the fact that we have these services. I would think it would probably be the latter.

Mr. Reid: When we look at the member for Middlesex South we know he hasn't got any services, or he wouldn't make the speeches he does.

Mr. Speaker: Order, please.

Mr. Cassidy: Okay, so the member doesn't have a speech writer, we agree.

Mr. Breithaupt: Well, what does he get?

Mr. Eaton: Mr. Speaker, I think when he stands up and makes these kinds of statements which he knows are not right, he should come in and make apologies to all those members who are parliamentary assistants and who don't have those services—

Mrs. Campbell: The member doesn't have any extra money?

Mr. Eaton: —who don't have secretaries over here or money provided to our caucus for secretaries over here as well. The caucus is not doing it.

Mr. Good: The member's caucus is getting it. Certainly it is.

Mr. Speaker: Order, please.

Mr. Young: Does the member have a secretary in his office?

Mr. Eaton: Yes, I have a secretary in my office and the member who asked me has a secretary in his office.

Mr. Breithaupt: Does he have one in the minister's office too?

Mr. Speaker: Order, please, the hon. member for Middlesex South has the floor.

Mr. Eaton: But we do not have, as the member referred to, speech writers and executive assistants.

Mr. Breithaupt: That is apparent. Does he have a secretary in the minister's office seconded too?

Mr. Eaton: We have a secretary, the same as any other member does, to do our work.

Mr. Breithaupt: That gives two.

Mr. Eaton: In some ministries perhaps they have two, one doing ministry work and one doing riding work.

Mr. Cassidy: And does the member have one over there as well?

Mr. Breithaupt: Isn't that delightful.

Mr. Eaton: I think, Mr. Speaker, that we would agree that one shouldn't come separately to the caucus because they don't come. At the same time I don't think statements as misleading as those of the member for Downsview should be made in this House.

Mr. Singer: That is a bunch of nonsense and the member knows what I said is true. If anyone is misleading it is he.

Mr. Eaton: That is not true.

Hon. Mr. Stewart: It is not true.

Mr. Singer: Yes, sir, it is true.

Mr. Speaker: Order, please, the hon. member for Cochrane South is the next speaker.

Mr. Singer: The Minister of Agriculture and Food doesn't know what he's talking about.

Mr. Ferrier: Mr. Speaker, you will recall that two or three weeks ago—

Mr. J. Root (Wellington-Dufferin): The member for Downsview is not telling the truth.

Mr. Singer: Oh, come on. The member has been milking the government for years.

Mr. Speaker: Order, please.

Mr. Cassidy: Oh, it is another denial.

Mr. Root: No, it's no denial.

Mr. Breithaupt: No denial?

Mr. Root: On a point of order, the hon. member for Downsview said I have a car. I haven't a car. I'm driving a 1970 Dodge of my own.

Mr. Singer: I didn't say that at all.

Mr. Root: He said all the members on boards and commissions have secretaries. I don't have a second secretary.

Mr. Cassidy: What is wrong? Has the patronage system let the member down?

Mr. Reid: What he needs is a speech writer. I'd almost pay for it myself.

Mr. Speaker: Order, please. There is no point of order. Would the hon. member for Cochrane South continue?

Mr. Cassidy: This is a disgrace, Mr. Speaker. He has got a conflict of interest.

Mr. Root: The member should withdraw that remark.

Mr. Singer: If you say there is no point of order then I don't have to, Mr. Speaker.

Mr. Root: The member should withdraw.

Mr. Speaker: Order, please.

Mr. Singer: I will not withdraw one word of what I said. Read it in Hansard.

Mr. Root: It's a disease that seems to affect even the Liberal House leader. He has made misleading statements about what I am paid on two occasions.

Mr. Speaker: Order, please. The member for Cochrane South has the floor.

Mr. Ferrier: I suspect, Mr. Speaker, that the Liberals are so hot on this issue that if they were in the same position they would be doing the same or more than they are doing across the way.

Interjections by hon. members.

Mr. Ferrier: Mr. Speaker, you and I and the member for Essex South (Mr. Paterson)—

Mr. Singer: Why is the member for Wellington-Dufferin so unhappy? How many secretaries does he have?

Mr. Speaker: Order, please.

Mr. Singer: He gets paid for two.

Mr. Root: I am not paid for two.

Mr. Speaker: The hon. member for Cochrane South has the floor. Let's restore order to the Legislature and continue.

Mr. Carruthers: Is he sure he has the floor?

Mr. Ferrier: I don't know. There is a rowdy bunch over here. Mr. Speaker, for the third time I'm going to try to start my introduction.

Interjections by hon. members.

Mr. Ferrier: This place is a lot more rowdy than when I used to speak to my congregation. At least they didn't speak back.

An hon. member: Yes, but there was nobody there.

Mr. Reid: He got more money.

Hon. Mr. Rhodes: I will tell you, Mr. Speaker, they never paid such attention.

Mr. Ferrier: That was my power base that I used to launch out into politics.

Hon. Mr. Rhodes: We pay more attention than they do.

Mr. Breithaupt: No collection either.

Mr. Ferrier: Mr. Speaker, you and the member for Essex South and I were in Ottawa at a Commonwealth Parliamentary Association seminar about three weeks ago.

Mr. H. C. Parrott (Oxford): Another ripoff.

Mr. Ferrier: We had the opportunity to see the kind of services they had and the way that the federal members of Parliament were looked after by way of secretaries and people in their office.

Mr. Breithaupt: Amenities.

Hon. Mr. Rhodes: And riding offices.

Mr. Ferrier: I will get to that too. I'd just like to say that we are really in the minor leagues here at Queen's Park. We don't know really how to operate the way they do there. In most instances, they have less riding work than a provincial member does. Look at the kind of services we have. We have the majority of the social assistance problems. We have the majority of the compensation problems. Unemployment problems that they should be looking after very often come to us and many other problems, Mr. Speaker. They have two or three people in their Ottawa office and they have a riding office as well.

Here we are making a major step forward. Imagine—in Ontario, the largest province, with a magnificent big budget, in this Act they are guaranteeing for the first time in the history of this province that there will be a secretary for each member of the legislative assembly. Well, it's about time.

Fortunately, this bill is retroactive and we were able to get a secretary earlier this year. It's made a great difference in the way that a great many people in this assembly have been able to operate with the kind of assistance that a full-time secretary has been able to give with case work. That's not just the total need that a member faces. I suggest the time is coming, or it should be here, when the minister should be incorporating into this bill provisions for a riding office for the members, especially those members who are a considerable distance away from home.

Interjections by hon. members.

Mr. Ferrier: Most of the out-of-town members are here and they spend their time in the assembly all week. Those who live nearby speed off home at night and they are back to their ridings and so on through the week. They hold their clinics on Wednesday nights and this kind of thing.

Mr. J. R. Smith (Hamilton Mountain): Saturday mornings.

Mr. Ferrier: That's where it hits the members who are far away.

Mr. Stokes: We spend all our weekends—

Mr. Ferrier: We spend our weekends interviewing constituents and getting phone calls. Then we grab a plane on Monday morning to come back here. It has been a more hectic weekend at home than the week down here. It's this way week after week after week.

Hon. Mr. Rhodes: Amend that Act now.

Mr. Ferrier: There should be some provision in this bill to provide, even on a part-time basis, some kind of assistance in the riding. As it is now, the member's wife, in most cases, gets the calls through the week.

Mr. Haggerty: And she gets nothing for it.

Mr. Ferrier: And she doesn't get anything for it.

Mr. Haggerty: She is not even included in the pension fund.

Mr. Ferrier: Maybe the members' wives are going to form a union or something.

Hon. Mr. Rhodes: Mine will join.

Mr. Ferrier: Maybe they will kick us out. I don't know. With the extra family responsibilities that many members' wives have to bear, those who have small children or even those a little older, with the kind of community responsibilities they try to carry, it's not fair for them to have to continually answer the phone as they do. This was one

glaring oversight in this legislation. I think it is about time that the minister took a careful look at this.

This bill sets out the board to look after the setting up of the budget for the assembly. They call it the Board of Internal Economy. The Speaker and a couple of members of the cabinet sit on that board. I think it would be much more desirable in terms of understanding how the members have to operate and their particular needs and problems, if this was an all-party board. I think that one of the recommendations in the Camp commission, if I'm not mistaken, was that the other parties have some say in the operation of this assembly.

Mr. Good: No.

Mr. Ferrier: It wasn't?

Mr. Good: It should have been.

Mr. Ferrier: It should have been. The back-bencher has a significant role to play in this assembly and in the operation of this building. It's the way that Parliament operates. There has been too much of an effort on the part of government to downgrade the role of Parliament.

Mr. Cassidy: That's right.

Mr. Ferrier: It should be enhanced and a lot more encouragement should be given to debating in this assembly and to considering the issues that come forward in the various pieces of legislation than is presently the case. What happens is that bills are dumped in at the last minute and often they are shoved through and the general public don't have a chance to appear before a standing committee. The bill is through before they even realize that it has been introduced.

If this place operated in a little more orderly fashion, where legislation came in a lot earlier in a session, the role of this assembly would be greatly enhanced in the life of the province.

The stress is too much on the executive making the decisions and having all the say; and the rest of us are supposed to be along for the ride. I think that's something that should very well be changed.

I think that one small step would have at least been to have made that committee a committee of all parties. There is no reason why the government couldn't have the majority in a committee of five. The Speaker, a cabinet member, a member of the government caucus, and one from each of the other two caucuses.

It would provide a much better opportunity for input from members of the various parties. There could be a lot more face-to-face negotiations. I think there could be a lot more improvement in the way this assembly operates and the contribution that members can make to the debates of this assembly; and to a lot of other things.

There is another aspect I would like to see considered; although perhaps it's too early. In Ottawa, the library has research personnel. If a private member wants some information on a subject, he can go to the library and a library staff member will research that subject for him.

I was interested in finding out more about the congressional system; how it operated. I spoke to one of the members, and he gave me a bibliography and some material.

Now I think that kind of thing should be taking place here at Queen's Park. If a member wanted some general or some specific information, and it was not possible for the research staff of the party to do it, then he should be able to go to the library and say: "I want this researched." It might be background for a speech he wanted to make.

Maybe you are going to do that later on, Mr. Speaker, but I don't want you to lose sight of it. Because it can be of significant help to the back-bencher in any party. I think it could add considerably to the debates in this assembly if more of these kinds of services were provided. Granted, there is a good deal of improvement in the bill, there's no two ways about it.

If more time was given for the consideration of the bills and these other back-up services were provided, I don't think the government would be coming forward with the bills of the past year or two, with the number of amendments that it has to make to them.

I think that more consideration and more back-up support for the members would mean greater scrutiny of the legislation and the arguments presented even better than they are now as to why changes should be made and why something is not workable. Then the minister, if he was amenable at all, could make the changes then; or they could be made in standing committee and you could reduce the number of amendments here in the House.

While there are improvements here, there is room for a great deal more improvement. I hope that you are open-minded on this, Mr. Speaker, and those improvements will be

forthcoming before too many months have passed.

Mr. Speaker: The hon. member for St. George.

Mrs. Campbell: Mr. Speaker, this is a bill to amend the Legislative Assembly Act. As such, it is a matter of importance to each and every member in this House. I would like to try to put into some sort of context what I see this bill as doing. As a matter of fact, it is in a way unfortunate that I should speak here and thus warn the government of the kinds of statements which I am prepared to make concerning this bill as I go through my riding and across this province.

What it does is to ensure to the government caucus approximately $282,000 over and above that which is available to the opposition at a time when, as has been pointed out, virtually every member of this government already has assistance which is denied to an opposition member.

But more important, and shabbily, what it does is to give this sort of funding to the government caucus while leaving a group which serves this assembly in a never never land. These staff people serve the entire assembly and serve it well and faithfully and with long hours. This government is so concerned with the next election, and providing itself with any kinds of amenities that will help it as a hidden kind of tax on the people of Ontario for their assistance, that it really doesn't care what happens to its staff. We have seen the erosion of others around here, and here they put in jeopardy a group which has no way of speaking for itself.

As I say, Mr. Speaker, this is, in my view, and obviously from our remarks and those of the NDP, a contemptible position. There is no reason why there should not be a committee which is made up of all of the parties in this House to discuss matters which relate to the legislative assembly of this province.

I don't know how, in conscience, anyone could pass section 71 or section 72, which grant no assurances but only give concern to those upon whom we draw heavily for services to the assembly. What this government has the prerogative to do is, of course, to govern; but I say, Mr. Speaker, that it does not have the prerogative to set up a committee of government which will make the decisions, in a partisan fashion, which govern the affairs of the assembly. It is really bad enough, as I understand it—and I am pretty new to this job—that there is very little meaningful grievance procedure available to those who are within the association because that appellate board is again really made up of government.

It is intolerable that any member of this Legislature should consent to or willingly approve the provisions contained in this bill. As a matter of fact, Mr. Speaker, it is one of the occasions when I personally feel that it is an embarrassment to be expected to debate it in its present form.

I have to acknowledge, of course, that things presumably are better than they were before I was in this House. You've heard that description, sir, and I can't quarrel with the fact that more assistance is provided today to the opposition than was the case in the past. But just recently, in a discussion of some government policies, we had to stop and consider that pretty basically, we are functioning under the Baldwin Act; and someone remarked that it is a pity that in this year 1974 we are trying to provide oats for the automobile.

This is what the government is using as an excuse to introduce legislation to be imposed upon this assembly; and without any question, it shows the contempt of this government for the legislative assembly of the Province of Ontario. I shall not support this bill in its present form, Mr. Speaker.

Mr. Speaker: The hon. member for Sandwich-Riverside.

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, there are two things that annoy me about this bill. One is the fact that there is no provision for the protection of the employees of the Legislature; that has been discussed at considerable length, and I won't repeat what has already been said. The other is section 80 of this Act.

When I first came to this House, it was explained to me that one-third of my pay cheque was tax-free because that represented the expenses I would have in carrying out my political responsibilities. Those expenses were: shelter while in Toronto; food while in Toronto; travelling around my riding; an annual report to my constituents; and the charitable donations that every member finds he is called upon to make.

As a result of the first Camp commission report, most of those expenses were covered, apart from this one-third. For example, our shelter while in Toronto is covered; travel around the riding is covered; part of the cost of the constituency report is covered. That

leaves, to come out of the expense part of one's salary, food while in Toronto, part of the cost of the constituency report and, of course, the charitable donations. Therefore, there is now little reason for this one-third part of the salary that is tax-free. But section 80 of this Act says that not only can MPPs have this extra expense money, above and beyond the tax-free one-third, but that they may get this money in advance if they ask the Speaker for it.

You will recall, Mr. Speaker, that a year or two ago there was a great deal of adverse criticism of students who secured loans or grants and then invested the money in some way or other and made quite a nice interest rate out of this loan which they had borrowed from the government.

Section 80 of this Act says that MPPs can get money in advance, provided, of course, that it is accounted for. What I would like to know when the minister replies is: What is to prevent a member from getting $1,000 in January, investing it at say 10 per cent, and paying it back at the end of December? He would account for it, of course, but what is there to prevent him from doing this just the way some students did in similar circumstances a couple of years ago?

An hon member: It's not accountable.

Mr. Burr: Of course it is accountable. You say: "I spent the money—here are the receipts." But why get the money in advance? Why must we have this money in advance? So what I would like to know is: Who asked for section 80, why was it put in and what possible excuse is there for it?

Mr. Speaker: The hon. member for Beaches-Woodbine.

Mr. T. A. Wardle (Beaches-Woodbine): Mr. Speaker, in saying a few words on this particular bill I should like to say I support the improvements that have been made, especially those to private members of this Legislature.

I think every member, no matter which party he belongs to, should have this added assistance, and I know that in the work of the Legislature and the work in the riding, every member certainly needs a secretary. In my office we keep our secretary busy through the day; we have a number of calls, and I think this would apply to every member, not only in the urban ridings throughout Ontario, but in rural ridings as well.

Mr. Speaker, I think I was one of the first elected members in a metropolitan area to open a riding office. This was some seven years ago. I still maintain that office but I do it at my own expense. I do not complain about that, Mr. Speaker, because I feel this is a very necessary thing in certain ridings throughout Ontario, and I can see that this would be a great benefit to private members, whether they represent urban or rural ridings. This type of office, I think, would be a very good thing for people who live in the rural areas and in small towns throughout Ontario.

I know that the members I speak to in all parties have some help, but their help is usually their wives, who, when they are here in the city of Toronto, are looking after telephone calls. This, I am sure, takes a good deal of their time. If in this bill there were a provision for a riding office, even though only the rent and utilities were paid, I feel that the members who set up such an office would have people who would volunteer their services, so there would not be the necessity of having a paid person in that office.

In the interest of all members in this Legislature and in the hope that they would have a more effective role in their ridings, I think we should seriously consider adding to this bill the opportunity of having a riding office with the rent and utilities paid. All those bills, of course, would be submitted to this particular committee.

There are some members, I would think, who would not require such an office, who may feel such an office is not the type of thing they would wish to do, but I would think the opportunity should be given to every member of this Legislature to have a riding office, with utilities and rent paid for if they so desire. This is a step that should be taken now, because I think people today expect their elected representatives to have the opportunity of communicating with them.

Even though we talk in this Legislature about many subjects, I think we often assume that what we say here is communicated to the people of Ontario. It is surprising that people do not know what the people in this Legislature are doing. In a riding office, I am sure there would be better communication between the member and the people he has the honour to represent.

Mr. Speaker: The member for Port Arthur.

Mr. Laughren: Nickel Belt, Mr. Speaker.

Mr. Speaker: Oh, Nickel Belt. I thought it was your partner there.

Mr. Laughren: Thank you, Mr. Speaker. You must get up to the riding of Nickel Belt some time and acquaint yourself with its boundaries. We'll reserve a couple of days when you come, however, to make the journey.

Mr. Speaker: My pleasure.

Mr. Laughren: Yes, you can come any time.

Mr. G. Nixon (Dovercourt): How about tomorrow?

Mr. Laughren: Who was that? Was that the member for Algoma who said that?

Mr. N. G. Leluk (Humber): Dovercourt.

Mr. Laughren: Dovercourt? Oh. I was going to enter into a debate with the member for Algoma.

Mr. B. Gilbertson (Algoma): The member for Nickel Belt and I meet up at the moose line.

Mr. Laughren: That's right. Momentous occasions indeed.

Mr. Speaker, if I could talk about this bill for a moment, ignoring the interjections of the front bench of the Tory party—

Mr. Carruthers: I'll go for a riding office.

Mr. Laughren: Will the member for Durham go for a riding office too?

Mr. Good: Everybody needs an information centre more than a riding office.

Mr. Laughren: Mr. Speaker, one thing I want to talk about is the whole problem of out-of-town members. It's very surprising to hear a Toronto member get up and talk about the need for a riding office. When Toronto members are in this Legislature or out of this Legislature, their constituents have access to their secretaries through the telephone and through the telephone directory. Out-of-town members do not have that privilege. I suspect that most of us from out of town spend a great part of our weekends talking to constituents on the telephone and replying to telephone calls that come in during the week.

The other thing that bothers me is the size of ridings. I happen to represent a very large riding. It's probably one of the five largest in the province. Some of the problems of getting around that riding mean that I cannot be here as much as other members, or that I cannot be in a central office in my riding, or even in my home, as other members might be able to do.

I think there is not enough consideration given to out-of-town members. I think, for example, of the need to have someone in the riding who is able to deal with constituency cases on a day-to-day basis. I'm very much aware that members of the Conservative Party are quite happy to see—

Mr. R. G. Hodgson (Victoria-Haliburton): No way.

Mr. Laughren: —us as opposition members, expending almost all our time on shoring up the system they've created in this province.

Mr. Cassidy: That's right on; right on.

Hon. Mr. Rhodes: The opposition parties have been ruining the system.

Interjections by hon. members.

Mr. Laughren: That's what they're happy to see us doing.

Mr. Cassidy: Ask the local Tory member to help, and there's nothing.

Hon. Mr. Rhodes: The member is wrong again.

Interjections by hon. members.

Mr. Laughren: Mr. Speaker, if the Conservative members are upset tonight—

Mr. Cassidy: The member for Ottawa South (Mr. Bennett) won't lift a finger for his people.

Hon. Mr. Winkler: What was the member doing down there all day yesterday, coercing the people? It is the best offer the member has ever had.

Interjections by hon. members.

Mr. Speaker: Order, please.

Interjections by hon. members.

Mr. Speaker: Order. The member for Nickel Belt has kept pretty quiet all night. Now he has the floor.

Mr. R. D. Kennedy (Peel South): He's always quiet.

Mr. Laughren: Mr. Speaker, the Conservative members are upset—

Mr. G. Nixon: We are not upset. The member is just imagining it.

Mr. Laughren: —because the Liberal government in Ottawa has provided constituency offices to the federal members, and they are seeing the Liberals in Ontario gaining ground on the Conservatives.

Mr. R. G. Hodgson: They are spending 51 cents on the dollar.

Mr. Laughren: It has nothing to do with the constituency offices; it has to do with the Tory administration for the last 30 some years.

Hon. Mr. Rhodes: Good, eh?

Mr. Laughren: It has nothing to do with constituency offices at all.

Mr. R. G. Hodgson: That doesn't mean—

Hon. Mr. Winkler: Bear in mind that that was as a result of the desire of the people of Ontario too.

Mr. Laughren: That's correct. To—

Hon. Mr. Winkler: That's right. Don't forget that.

Mr. Laughren: To elect federal Liberals.

Hon. Mr. Winkler: Don't forget that.

Mr. Laughren: Has the minister read the latest polls?

Hon. Mr. Winkler: Oh, I don't worry about them.

Mr. Laughren: Yes, the minister doesn't worry about the latest polls, does he?

Hon. Mr. Rhodes: How many federal NDP do they elect?

Mr. Cassidy: Is it a Teeter poll?

Interjections by hon. members.

Hon. Mr. Rhodes: Look what happened to old David.

Mr. Laughren: No, I'd rather not. The members opposite should be most concerned about the part in this bill that says that a party must have 12 members in order to qualify for the emoluments, because in 1975 it may not even have 12 members.

Interjections by hon. members.

Mr. Laughren: Mr. Speaker, I attempted to approach this debate in a very sober manner and the interjections of members opposite have driven me to some hyperbole. Given the hour, I would adjourn the debate, Mr. Speaker.

Hon. Mr. Rhodes: Next time stand up.

Mr. Laughren moves the adjournment of the debate.

Motion agreed to.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, before I move the adjournment of the House I would like to say that tomorrow morning we will return to the debate on the bills that I had presented today in the name of the Treasurer. We'll deal with them all tomorrow morning.

Mr. Laughren: Can't we come back for this one?

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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Friday, December 13, 1974

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

FRIDAY, DECEMBER 13, 1974

The House met at 10 o'clock, a.m.

Prayers.

Mr. Speaker: Statements by the ministry.

Oral questions.

RESOURCE TAXATION

Mr. R. F. Nixon (Leader of the Opposition): I would like to put a question to the Treasurer which would give him an opportunity to give us a report on his conference with the Minister of Finance and the other treasurers in Ottawa. Most specifically, what action is he going to take on our Mining Tax Act which has been before the Legislature now for many months? Is he going to leave it on the order paper until the new year, at which time the first ministers' meeting with Mr. Trudeau probably can further pursue this matter of sharing tax revenues from our resource industry?

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): As the hon. member knows, the Province of Alberta, the Province of Saskatchewan and to a lesser extent, the Province of British Columbia were vehemently opposed to the non-deductibility feature of the Nov. 18 budget. On the other hand, the federal government took a very strong position that the changes in the deductibility of exploration costs and so on had been evidence of their goodwill and had lessened the impact of the other federal changes. So the federal government were equally adamant that they should not have to compromise their position further.

Ontario and, I think it is fair to say, Quebec took a middle view; namely that while the provinces under the constitution had undeniable rights, explicit and implicit, in the natural resources field to the revenues flowing from those rights, the federal government likewise had rights under the constitution to tax without constraint and to assure the peace, order and good government of the country.

Therefore, Ontario certainly—and I think I could say Quebec and perhaps the other provinces too—took the middle ground that compromise had to be found, and that that compromise had to come sooner rather than later, our fear being that the delay might not only adversely affect the industries directly concerned but have some spillover effect on other industries.

Mr. I. Deans (Wentworth): Is the Treasurer making a speech?

Hon. Mr. White: Insofar as the Ontario mining tax is concerned, it would parallel the federal approach by making mining taxes non-deductible for provincial corporation tax purposes. On the other hand, the royalties would continue to be deductible for Ontario corporation income tax purposes. Once again, we've taken the moderate and sensible route.

I would be glad to proceed with the mining tax, but I can't guarantee that this can be fitted into the schedule next week. When one considers that I'll certainly be taking one bill into a standing committee and, if it can be arranged, perhaps taking the Ontario Land Corp. bill into a standing committee, and I've got half a dozen other bills on the order paper, I certainly couldn't guarantee that we'll be debating the mining tax next week. That's yet to be seen.

Mr. R. F. Nixon: Supplementary: Since the mining industry has indicated over many months that if the federal government continues to tax resource profits at the level they are taxing, and the Province of Ontario continues to tax at the level envisaged and actually being taxed under the powers of that bill which has not yet passed into law, that it is going to come into a problem where it cannot finance further development and exploration. Whether that's true or not, is the government giving any consideration to changing the provisions of that bill as in fact it was forced to change the provisions of the land speculation tax?

Mr. S. Lewis (Scarborough West): The government should graduate the tax more steeply. That would be the best change.

Hon. W. G. Davis (Premier): The opposition parties are not in agreement on this, I can see.

Mr. Lewis: No, we are not in agreement on it.

Hon. Mr. Davis: Although I'm not sure just where they are.

Hon. Mr. White: The very considerable increase in the mining tax itself—

Interjection by an hon. member.

Mr. R. F. Nixon: I wonder if the member could be quiet so we could hear the answer?

An hon. member: Good idea.

Mr. Deans: Let the Treasurer carry on with his speech. It is a pressing question.

Mr. Speaker: Let's have the answer to the question.

Hon. Mr. White: Thank you. The very substantial increases in rates and in revenues from the mining industry are apparent to everyone and will in fact increase our revenues from $75 million to $225 million. What is overlooked is the fact that the mining companies can earn very considerable processing allowances by putting additional plant in place and now, for the first time, earn a further allowance if they get into the manufacturing industry.

Mr. Lewis: I should say.

Hon. Mr. White: This will, I say to the members opposite, induce an enormous investment over time in the secondary manufacturing industry in northern Ontario, which we have striven for, for years, with limited success.

Mr. Lewis: Sure.

Mr. J. A. Renwick (Riverdale): Oh yes, we have striven for this.

Mr. M. Cassidy (Ottawa Centre): This will change northern Ontario.

Mr. Lewis: We have heard those things before.

Hon. Mr. White: And put in place, I do believe, some—

Mr. Renwick: Why don't we debate the bill one of these days?

Mr. Speaker: Order please. The minister is answering the question.

Mr. Renwick: Let's debate the bill.

Hon. Mr. White: Pardon?

Mr. Renwick: Get the bill before the House.

Hon. Mr. Davis: At least we know where we are.

Mr. Speaker: Order please.

Hon. Mr. White: What was the question again?

Hon. Mr. Davis: At least we know where the member is.

Mr. Renwick: There is an item on the order paper called the Mining Tax Amendment Act.

Mr. Speaker: The minister was answering a question.

Mr. Renwick: When that comes up we can deal with it. Let's not have the minister debate it today, when there is no adequate opportunity to reply.

Mr. Speaker: The hon. minister was responding to a question. Any further questions?

The Leader of the Opposition.

Mr. R. F. Nixon: Mr. Speaker, on a point of order, the minister was interrupted by the interjection from the hon. member. What I wanted to know was, are we going to debate the bill before the Christmas recess?

Mr. Renwick: He answered that a few minutes ago.

Mr. R. F. Nixon: Yes, he said maybe we would. I was quite interested in what he had to say about this. I wonder, Mr. Speaker, if you would permit the minister to finish his answer, or is it finished?

Hon. Mr. White: There's no way of telling. I'm committed to about three days in a standing committee and I've got about six items on the order paper. Now, whether we finish the Mining Tax Amendment Act next week or not, I really don't know.

Mr. T. P. Reid (Rainy River): Finish it? Is he going to start it?

Mr. Deans: Why doesn't the Treasurer call that item first?

Mr. Lewis: By way of supplementary: Since the government is so concerned about the infrastructure in northern Ontario, which it has promised for 30 years and never produced, and since it is so important that it has this additional revenue, why doesn't the Treasurer give that bill priority? Let's debate

its contents before we adjourn and not leave it over into 1975 again.

Mr. Cassidy: That's right.

Mr. Lewis: It sits and sits forever and the government doesn't get the revenue.

Mr. Renwick: Why don't they let us set the priorities?

Mr. Lewis: Mr. Speaker, that is a good idea. I have a list right here.

Mr. R. F. Nixon: The Mining Tax Act amendment is legislation we want to debate before the recess.

An hon. member: I'm getting tired of doing that.

CSAO NEGOTIATIONS

Mr. R. F. Nixon: In the absence of the Chairman of Management Board (Mr. Winkler)—who may, in fact, be attending a very interesting meeting indeed—has the Premier anything to say about the continuation of the negotiations with the Civil Service Association? I understand there was supposed to be some statement made today.

Hon. Mr. Davis: If memory serves me correctly—

Mr. Lewis: It always does.

Hon. Mr. Davis: Well it serves me correctly on occasion.

Mr. Renwick: It serves the Premier very well.

Hon. Mr. Davis: I believe the Chairman of Management Board informed the hon. member Monday that there were meetings as of Friday morning, so I think one can assume that there are meetings going on at this precise moment. Quite obviously there will be no statement until those meetings have been concluded.

AGGREGATE PERMIT

Mr. R. F. Nixon: Mr. Speaker, I would like to ask the Minister of the Environment what the justification was for issuing a permit to Dufferin Construction to open a pit in South Dumfries township, in Brant county, which will have the power to remove another million tons of aggregate a year from that particular area? Is he not aware that the opening of that pit will mean that the town of Paris is completely surrounded by these tremendous mining operations and, in fact, this is going to have a substantial impact on the quality of life in that particular town?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I think that question should be more properly directed to the Minister of Natural Resources. The Pits and Quarries Act comes under his ministry.

Mr. R. F. Nixon: Supplementary: Did not the Ministry of the Environment give approval to at least the environmental aspects of the removal? It was this certificate that was at least as significant as any other that permitted the procedure to go ahead.

Hon. W. Newman: Mr. Speaker, we don't issue permits for taking out aggregate. We issue certificates of approval for landfill sites and other matters, but not taking out aggregate.

Mr. R. F. Nixon: I would like then to ask the Minister of Natural Resources the same question. Since the environmental problem associated with the opening up of yet another pit is one of the more substantial ones, can he assure the House that there will not be an opening of a pit there under circumstances that would interfere with the environmental aspects of the community of Paris?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, I am not aware of this particular application, but I would point out to the hon. member that if it is a new pit then it must comply with all sections of the Act, particularly section 6 of the Act, and further, that the municipality would have the veto power. They would have to have the approval of the local municipality before issuing a licence for a quarry or a gravel pit in that particular area.

Mr. R. F. Nixon: Supplementary: Am I to understand the minister correctly when he says that he is not aware of the application by Dufferin to open this enormous pit in South Dumfries township? He has certainly approved it—and within the last few days—under the Pits and Quarries Act. I thought that perhaps he would be aware of it since there were, I believe, approximately nine or 10 specific conditions for the removal of the gravel. But the environmental aspects seem to me to be somewhat—

Mr. Speaker: The question?

Mr. R. F. Nixon: —less than of concern to either minister. The question: Is he not aware of the approval he has granted on that application?

Hon. Mr. Bernier: Yes, Mr. Speaker, I am aware that the approval was granted, but I haven't the exact details with me at the present time. We issue a number of quarry licences each week. To be on top of each one is practically impossible.

FEDERAL RENTAL ASSISTANCE PROGRAMME

Mr. R. F. Nixon: I have a question of the Minister of Housing. Has he received any further information as to the application of the federal programme for rental assistance that would, in fact, mean that the money is going to be of assistance to those people renting facilities and not simply lost in the uncontrolled increase of rents as we have experienced them over the last few weeks? Has he any further information to report on it?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, I have no direct information except what I have read in the Toronto news media. It is indicated that the funds will be available to new housing only for next year, and would apply only to condominiums. I have to say at this time that I am not very enamoured with the programme—I had hoped it would be a much wider programme than that. But I want to speak with Mr. Danson myself. I haven't had that opportunity yet, although I understand he has been speaking in Toronto this morning.

Mr. R. F. Nixon: Supplementary: I would say that it is regrettable that there hasn't been consultation between the two ministers. Presumably the programme across Canada should involve the Ministers of Housing, or people with that responsibility, in all jurisdictions. Is the minister aware, or would he find out, whether the basis of the government is that the money is not payable unless there is an agreement whereby it is passed on to those people who are to be assisted by the public dollars, and not simply lost as the rents rise uncontrollably?

Hon. Mr. Irvine: Mr. Speaker, I have already given instructions to have a letter ready for my signature to Mr. Danson to ask him for an early meeting, or at least to reply to me with the full details of the programme.

Mr. Lewis: Supplementary: Did the minister hear Barney Danson talking about him this morning on CBC radio? He should get the tape.

Hon. Mr. Irvine: Mr. Speaker, I didn't have the pleasure.

Mr. Lewis: Oh, well, he should get it.

May I ask the minister if he can insist—because I think Mr. Danson is utterly irresponsible—that Ontario—

Hon. S. B. Handleman (Minister without Portfolio): Be kind!

Interjections by hon. members.

Mr. Lewis: May I ask the minister to insist with Mr. Danson, that Ontario be party to the negotiated agreements with the landlords and developers that fix the rents—it becomes a form of rent control, in this instance—for the 10- to 15-year period to which the subsidy would apply, and that Ontario get involved that way before the programme is put in place in this province?

Mr. Renwick: Absolutely essential.

Hon. Mr. Irvine: Mr. Speaker, I'll endeavour to ensure that we have the full cooperation of the federal government. I have written Mr. Danson on other matters some while ago, and to this date have not received a reply. I am hopeful that we will not have too long a delay but, in any event, if my letter doesn't receive an answer I will phone him directly.

Mr. Renwick: Oh, no!

Mr. Speaker: Any further questions?

FINANCIAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. R. F. Nixon: I'd like to ask a question, if I may, Mr. Speaker, of the Treasurer. Has he been in communication with his former chief economist, the present president of York University, about a programme to provide some special facilities to assist the universities if in fact they have to enter the borrowing market independently to maintain the quality of education that they establish? Is the Treasurer aware of the proposal from Mr. Macdonald for such a loan function?

Hon. Mr. White: I have had a brief telephone conversation with Mr. Macdonald. This is one of the items which was mentioned in passing. Without fully understanding the ramifications, I thought the suggestion was interesting enough that it should be pursued with the Minister of Colleges and Universities, and that's the way it stands.

Mr. R. F. Nixon: Supplementary: Would the minister then indicate that he would not

favour the universities going independently into public commitments for loans to carry on post-secondary education, but that if they had to borrow he would favour it being under the aegis of the government?

Hon. Mr. White: This is a matter that really should be commented on by my colleague, but I do observe that when enrolment falls or stabilizes, all kinds of demands are made because of what universities contend are diseconomies of scale. If there is validity in that argument, surely there are likewise economies of scale. So the gross increase—not per student, but rather in total—of something like 16 per cent should enable the universities to provide a high level of service without going into debt. It is my hope that this will be achieved.

Mr. Speaker: Are there any further questions.

Mr. R. F. Nixon: I wonder if I might direct a question to the Minister of Colleges and Universities since the Treasurer has indicated he should answer. Perhaps both ministers could be involved if that's possible. Has the Minister of Colleges and Universities anything to add to that particular answer and is he contemplating asking the Treasurer to co-operate in some sort of a loan fund to tide the universities over the problems that they are facing with the grants that have been announced?

Hon. J. A. C. Auld (Minister of Colleges and Universities): Mr. Speaker, first of all, I think the House should know that the universities presently have, according to their statement of 1973-1974, total assets in the neighbourhood of $200 million. Of this, I am informed, that some $90 million is unencumbered, if I can put it that way. It is not in endowments for specific purposes.

Mr. J. R. Breithaupt (Kitchener): Cash on hand?

Mr. R. F. Nixon: Does he mean assets, collateral for loans, like buildings?

Hon. Mr. Auld: One of the things I have suggested to the universities and one of the things we are discussing with the Treasurer is a consortium approach within the university community. It would seem to me if these assets are there, for instance, operating surpluses, capital reserves and so on, that that would be the place to look rather than the public market at this point in time. However, I realize that it's not quite as simple as putting it just that way.

Mr. F. Laughren (Nickel Belt): A supplementary, Mr. Speaker: In view of the fact that this may be true of some of the universities, what about those smaller universities which have already used up their reserve funds and are indeed going to operate at a deficit? What does the minister see as the solution to their problems?

Hon. Mr. Auld: Mr. Speaker, I didn't make it clear. What I am suggesting is that the universities themselves, as a group, help each other out.

Mr. Cassidy: Supplementary, Mr. Speaker.

Mr. Speaker: Final supplementary.

Mr. Cassidy: Is the minister suggesting that the universities, as a group, cash in their endowments in order to get over this particular year? What does he intend should happen after that? Do they keep on doing this?

Hon. Mr. Auld: No, Mr. Speaker. The hon. member knows I didn't say that. I said there is about $90 million that is not encumbered and that is now in endowments specified for certain things.

Mr. Cassidy: There are unencumbered endowments they may use; is that right?

Mr. Speaker: Any further questions?

Mr. Lewis: If I might just—I am sorry.

Mr. Speaker: Before the hon. member proceeds, I recognize his colleague, the member for Yorkview.

Mr. F. Young (Yorkview): Thank you, Mr. Speaker. After the beginning of the question period, about 80 students from C. W. Jefferys secondary school in Yorkview, along with their teachers, arrived in the gallery. I am sure the House would like to join with me in welcoming these people to the House today.

An hon. member: Is the member for Downsview not in yet?

Mr. Speaker: The member for Scarborough West.

Mr. Lewis: Surely one of them lives in Downsview, just one of them.

Mr. Breithaupt: If one did, the member would know him.

Mr. Lewis: There is someone wearing a "Save us from Davis" button up there.

OIL PRICES

Mr. Lewis: May I ask of the Premier, Mr. Speaker, now that the Premier of Alberta has decided to give to the struggling and penurious oil companies $8.50 a barrel at the wellhead, causing the price to consumers in Ontario to rise by probably six cents a gallon in the spring, what is he going to do, as Premier of Ontario to intervene at this point on behalf of the consumers of this province, in order to prevent a price increase which is as illegitimate on this occasion as it was in the past?

Hon. Mr. Davis: Well, Mr. Speaker, of course the judgement being exercised by the leader of the New Democratic Party as to whether or not it is legitimate in total or otherwise is a very personal one. I have only read the press reports so far. Premier Lougheed's observation that they would be refunding to the oil companies that percentage of their tax that was not deductible from the federal tax, is an indication that they would be seeking an increase in price some time after the present agreement or understanding expires. I would expect prior to that there would be a meeting of the first ministers of this country to see what potential solutions there are for us.

I think, Mr. Speaker, that to comment in advance of that discussion or meeting taking place at this moment wouldn't serve any useful purpose. Quite obviously none of us in this province are anxious to see an increase in the price of oil, whether it's from Alberta or from the OPEC nations, although I understand from the press that too is being considered as of Jan. 1—which once again will have some effect on the economy of this country. I don't think we can ignore that fact. But I think at this moment, Mr. Speaker, this province is going on the assumption that the agreement stands until the spring.

There was, according to my recollection, an understanding that prior to any determination as to future price increases, there would be a further meeting of first ministers, and I would expect, Mr. Speaker, that this is the course that events will take.

Mr. Lewis: By way of supplementary: Recalling, however unpleasant it may be, the misconception which flowed from the last meeting of first ministers, where the Premier indicated in the House that the increase the oil companies imposed exceeded the increase he assumed had been agreed upon at the meeting of first ministers, can he give to the House a guarantee that either the Ontario Energy Board or some independent group will require the oil companies to come before it, before any increase is allowed at the pump in Ontario, in order that it not be unreasonable and illegitimate?

Hon. Mr. Davis: Mr. Speaker, I can't give that guarantee at this precise moment.

Mr. Lewis: Why not?

Hon. Mr. Davis: I'm the last one to protect the oil companies, but in fairness I think it wasn't the oil companies, it was the Province of Alberta that arrived at the $6.50 per barrel price.

Mr. Lewis: But it translated into an amount.

Hon. Mr. Davis: But the leader of the NDP said the oil companies set it.

Mr. Lewis: They did.

Mr. Deans: Yes they did. They just spoke to Lougheed.

Hon. Mr. Davis: I'm saying that the government had some involvement in that.

Mr. Deans: They all used Lougheed like they are using the Premier now.

Mr. R. F. Nixon: Is it not understood that the first ministers are meeting in January, and that this would certainly be a part of the agenda?

Hon. Mr. Davis: Mr. Speaker, we anticipate there may be a meeting of first ministers in January. At our last discussion there was some question whether this would be discussed in January or February, or at a later meeting in March. The understanding goes beyond that particular tentative scheduled meeting of first ministers, so I can't say at this moment whether the question of oil pricing will necessarily be on the agenda at that meeting. I don't know.

Mr. R. F. Nixon: But a meeting is scheduled for January?

Hon. Mr. Davis: There hasn't been a final date set, as I understand it.

Mr. Speaker: Any further questions?

Mr. Lewis: Mr. Speaker, I want to pursue, it either separately or by way of supplementary. Surely, the Premier recognizes that what we're talking about is an amount in excess of a quarter of a billion dollars from the citizens of Ontario. It's $45 million; every cent transferred directly to the oil companies.

Mr. Deans: Right.

Mr. Lewis: And surely the Premier can't again allow them to do to the consumers of Ontario what they did on the last occasion? Question: Why does the Premier bring Ontario Hydro and the gas companies before the Energy Board to justify price increases, but leave the oil companies in Ontario to have a field day at our expense?

Hon. Mr. Davis: Mr. Speaker, I'm not going to get into a philosophical discussion as to the differences—

Mr. Renwick: There is nothing philosophical about it.

Mr. Lewis: It is dollars and cents.

Hon. Mr. Davis: There is some difference between Ontario Hydro, which is a monopoly, public in nature, in this province—

Mr. Lewis: What about Consumers' Gas? What about Union Gas?

Hon. Mr. Davis: —and in many respects the gas industry, which is regulated in terms of competition.

Mr. Renwick: And the Premier is suggesting the oil companies are competing?

Hon. Mr. Davis: I am saying to the members opposite that there is some distinction between that and the companies that provide gasoline to the consumers of this province.

Mr. Deans: There is no difference in price.

Mr. Cassidy: No difference at all.

Mr. Lewis: They're competing?

Hon. Mr. Davis: Certainly there's competition. But I would say, Mr. Speaker, that we're just as concerned about price as the hon. member. It goes beyond the price just of gasoline—

Mr. Lewis: They are clobbering everyone.

Hon. Mr. Davis: The total cost to this province, of a dollar per barrel increase, is in the hundreds of millions of dollars, as it relates to the total economy.

Mr. Lewis: That's right. That's right.

Hon. Mr. Davis: We know that. Some days I wonder whether the leader of the NDP does.

Mr. Speaker: Any further questions?

Mr. Lewis: By way of supplementary: Since the Premier will recall that the increases were almost the same to a fraction of a cent—two-tenths of a cent was the difference from the April agreement—does he know, therefore, that there is no real competition; it is a monopolistic practice? And if it costs the consumers of Ontario that much money, how is it that the Premier is always unwilling to intervene to protect the consumers of Ontario when the oil companies are involved? Why does this government always back away from that?

Hon. Mr. Davis: Mr. Speaker, we don't back away from it. We also have some concern—which I know is not shared by the hon. member—about availability or supply. I know that's of no concern to him, whatsoever.

Mr. Lewis: They hold a gun to the Premier's head.

Hon. Mr. Davis: Listen, the member's party would totally nationalize the oil industry; he knows it and we know it.

Mr. Lewis: Ontario can't do that, so don't bring in a red herring.

Mr. Renwick: We haven't got any oil in Ontario.

Hon. Mr. Davis: I say to the hon. member that there is some relevance at this moment in having sufficient money for investment in oil exploration—

Mr. Cassidy: They have to justify it publicly. If that is the case, let them justify it.

Hon. Mr. Davis: I will say this for the Province of Alberta: It is in our interest as much as theirs. If there isn't exploration and if there isn't the involvement of private capital in the further development of the tar sands or in further exploration in the Province of Alberta, the consumers in the Province of Ontario will be the losers. We need this kind of involvement—

Mr. Renwick: The Premier knows as well as anybody that governments are going to have to develop the tar sands.

Hon. Mr. Davis: I say to the hon. member that it is great to sit back and talk about the oil companies and about wanting to regulate them—

Mr. Lewis: Whose oil is it?

Hon. Mr. Davis: —without some acknowledgement that we need this kind of invest-

ment if we are going to continue to get the supply. That has to be recognized as part of any discussion.

Mr. Lewis: By way of supplementary, certainly I understand the exploration aspect—maybe this government will put some money into Syncrude; we will wait and see—but has Ontario made any evaluation of the additional quarter of a billion dollars or better we pay to the oil companies to determine what percentage of it goes into exploration or development and what percentage simply goes into retained earnings? Why does the government allow them to take that much money from Ontario without scrupulously examining their books and investment practices?

Hon. Mr. Davis: Mr. Speaker, the Minister of Energy (Mr. McKeough) may or may not have more specific details, but I can only make the general observation that until yesterday, when the Premier of Alberta took a certain step that I am sure was rather difficult for him—

Mr. Lewis: Difficult?

Hon. Mr. Davis: —there is no question—and all hon. members have seen it, they have all read it—that the amount of investment in oil and gas exploration in the Province of Alberta had been substantially reduced in the last four or five months—

Mr. Lewis: That's right. It's the old oil cartel play, the power play.

Mr. Renwick: That's the way they do it.

Hon. Mr. Davis: But I am saying to the hon. member that we should be as concerned as others about that, because we are the prime consumers.

Mr. Lewis: Sure, and this government will allow them to export it from Ontario.

Mr. Speaker: Order, please. Let's have fewer interruptions.

Hon. Mr. Davis: One could take a look at the books and all the rest of it, but the fact remains that the oil and gas industry in the past six months had been substantially reducing its investment in exploration in one of our sister provinces—

Mr. Lewis: That's right.

Mr. Deans: Because they were negotiating for more money.

Hon. Mr. Davis: —so it is great for the members of that party to sit back and say: "Tax them more or refuse them an increase in prices."

Mr. Lewis: Well, who has allowed them—a new question, by way of supplementary: Who has been exporting—

Mr. Speaker: Order, please. This is developing into a full-fledged debate, and it is meant to be a question-and-answer period. Will the hon. member proceed with his further questions?

Mr. Lewis: I apologize, Mr. Speaker. You are right.

Mr. Deans: During that six-month period when they cut back, they were negotiating. That's the reason they cut back. Good Lord, doesn't the Premier understand that?

Mr. Renwick: He doesn't.

Mr. Deans: They were holding back their investment in order to get more money.

Mr. Renwick: That's right.

Mr. Speaker: Order, please. Will the hon. member for Scarborough West proceed with his questions?

Mr. Lewis: It would be interesting to recall who has been exporting energy and creating this problem. Liberal and Tory governments have been exporting our energy for God knows how long and now we can't buy it back.

Mr. Speaker: Order, please.

Hon. Mr. Davis: Who has been exporting?

Mr. Cassidy: The government doesn't react in the same way when there is a strike by the corporations, does it?

Mr. Lewis: Another sellout to the oil companies is imminent.

Hon. Mr. Davis: We haven't been exporting.

Mr. Speaker: Order, please. Would the member for Scarborough West proceed with his questions?

ONTARIO BUDGET

Mr. Lewis: A question of the Treasurer—one question. Could I have read properly—I mean, is it conceivable—that the minister went to a dominion-provincial conference of treasurers and admitted publicly that he would incur a budget deficit in the next fiscal

year? Since this is the first time in his life that the minister has admitted to a budgetary deficit of substance, in what amount does he anticipate that deficit to be?

Mr. Deans: Is that less cash in than goes out?

Hon. Mr. White: Mr. Speaker, the ministers of finance are all optimistic about the performance of the economy next year.

Mr. V. M. Singer (Downsview): They all work on cash in and cash out.

Hon. Mr. White: The federal minister is expecting between three per cent and four per cent real growth. We ourselves are estimating about 3.5 per cent real growth.

Mr. Singer: Now you see it, now you don't.

Hon. Mr. White: At the same time, we recognize that unemployment is likely to increase fractionally in this province from something under 4 per cent to 4.5 percent.

In the last two years we have been turning up very substantial surpluses to dampen inflation, and we have reduced our outstanding public debt in the last year and a half by $594 million.

Mr. E. R. Good (Waterloo North): By borrowing from our pension funds.

Hon. Mr. White: I think it would be a great mistake—

Mr. R. F. Nixon: Surplus of $900 million?

Mr. Speaker: Order, please.

Hon. Mr. White: —to attempt another such cash surplus if unemployment is increasing. Therefore, my conclusion at the moment—that is to say, Dec. 13, the day of the eclipse—

Mr. Deans: Friday. It is a bad day.

Mr. Lewis: The Treasurer's eclipse—his own eclipse.

Hon. Mr. White: —is that we should not budget for another large surplus next year. Given the existing situation, I would have to recommend that we budget for a balanced budget, that is, the same amount of cash going out as cash coming in.

Interjections by hon. members.

Mr. Singer: The old shell game.

Mr. Breithaupt: Back to teaching Economics 20.

Hon. Mr. White: Some day the members opposite will understand it.

Interjections by hon. members.

Hon. Mr. White: In the other hand, if, because of international business conditions, the economy here and across Canada worsens—I hope and pray it won't—then we should have to contemplate a budgetary deficit. This will not be known for some months.

Mr. Deans: He should be doing something in addition to hoping and praying.

Mr. Lewis: As a supplementary, on the basis of the cash in—cash out, inflow—outflow, entry—exit analysis of finances which the Treasurer makes, does he not recognize that by his statement in Ottawa he will be increasing the provincial debt by 41 per cent next year, to an amount significantly in excess of $1 billion?

Mr. Singer: The Treasurer doesn't need to explain that again.

Mr. Breithaupt: Sesame St. economics.

Hon. Mr. White: Well, sir, if we had both sides of our balance sheet on a true cash basis we would be turning up a profit this year. We had anticipated a profit this year of $336 million.

Mr. Singer: Oh, come on, we can't believe that. That is not credible.

Hon. Mr. White: Because costs have run ahead faster than the increase in revenue, we now anticipate a profit of $208 million. If we had both sides of the balance sheet on a true accrual basis, we would have a profit of more than $500 million.

Interjections by hon. members.

Hon. Mr. White: I am not going to be deterred from doing the right thing for the people of this province by definitional difficulties and by the misleading representations made when members of the opposition take a figure halfway down a profit and income statement.

Mr. R. F. Nixon: Misleading? If he has such a surplus, reduce taxes.

Mr. Singer: Redefining the words profit and loss, deficit and surplus.

Mr. Lewis: Definition? It is a cerebral catharsis, that is what it is. It is not a definition.

Mr. Cassidy: A supplementary, Mr. Speaker?

Mr. Speaker: With respect, the leaders have taken over 30 minutes of the 45-minute question period already. Is this a supplementary?

Mr. R. F. Nixon: Mr. Speaker, I have a supplementary as well. Are you going to cut them off, did you say?

Mr. Speaker: No, I didn't say that.

Hon. Mr. Davis: The leaders are monopolizing it. Give the other fellows a chance.

Mr. Cassidy: In view of the innovations being introduced by the Treasurer to public finance, has he considered an offer from Real Caouette to be a consultant to the Social Credit Party?

Mr. R. F. Nixon: At $10 a time?

Hon. Mr. White: Well now, sir, to the best of my knowledge there is only one book on this subject, "Alternate Methods of Government Capital Accounting," by John White, M.A.

Mr. Lewis: It had to be reduced, I take it, to microfilm?

Hon. Mr. Davis: It is a bestseller.

Hon. Mr. White: And since it is the only book on the subject that I know of, it has to be the best book in the world on the subject. There is, I am glad to say, a copy in the legislative library.

Mr. E. W. Martel (Sudbury East): They can't even give it away.

Mr. Deans: Two copies have been sold.

Mr. Breithaupt: It is an economics colouring book.

Mr. R. F. Nixon: If, in fact, we have this profit, does the Treasurer have to go down and make those quotation marks with his fingers every time he refers to it, and if we have that kind of profit, why the devil doesn't the government reduce taxes instead of looking for an increase in taxes?

Isn't it also true that the so-called profit is based on the deposits in the Province of Ontario Savings Office that are transferred by his order to the consolidated revenue fund, and on all of the moneys in all of the pension funds which are transferred by the Treasurer's order to the consolidated revenue fund? How can he expect the people to believe that he can expect a profit—and wiggle his fingers?

Mr. Speaker: Order, please, this is not a time for speeches.

Interjections by hon. members.

Hon. Mr. White: No, I expect them to believe me because I have never in my life misled them, and I have got 16 years to back that up, and because Moody's has given Ontario a triple-A rating; the only province in this country to have that.

Mr. Lewis: Well, I suppose when it is preposterous, it is almost believable.

Mr. Breithaupt: He should be selling Syncrude oil.

Mr. Speaker: Any further questions? The member for Waterloo North.

SALES TAX ON VEHICLE TRANSFERS

Mr. Good: Thank you, Mr. Speaker. A question of the Minister of Revenue: What internal controls does he have to make sure that his ministry receives all sales tax money that is paid to licence issuers when vehicles are transferred from one owner to another and the sales tax is paid in a licensing office? Does he have any mechanism to ensure that that money is forwarded?

Hon. A. K. Meen (Minister of Revenue): Well sir, we have the audit department of the ministry which, on a cyclical basis in various areas of the commercial community, does check out these matters. I think perhaps there may be more detail I can get the hon. member in that particular area of activity and I will look into it.

Mr. Good: As a supplementary, would the minister check to see if it is possible that moneys paid by cash rather than cheque into licensing transfer agencies could, in fact, never reach the ministry?

Hon. Mr. Meen: Sir, I suppose anything is possible, but the audit procedure is intended to catch this kind of thing, of course. But I'll check into that.

Mr. Speaker: The hon. member for High Park.

ORGANIZED CRIME IN ONTARIO

Mr. M. Shulman (High Park): A question of the Solicitor General, Mr. Speaker. Inasmuch as an emergency is developing in the battle for control of organized crime in this province, and that yesterday the sixth person in a period of some seven months was

either bombed or assassinated—I'm referring to, first, Bluestein, Chomski's partner Donnelly, Chomski himself yesterday, Frank D'Angelo, John Camillieri and Albert Bellateri Jr.—will the minister take steps to assign extra police officers from the OPP, or from whatever forces are available, to attack this particular battle? Because we are going to have a continued series of assassinations. And is the minister giving special surveillance to other Magaddino lieutenants, specifically Iannuzzelli and Reinhart, to make sure they don't follow the same unhappy route?

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, our police investigation up until now doesn't necessarily reveal any connection between these particular incidents to which the hon. member refers. For example, the latest one is a matter of the victim being a bookmaker involved in gambling and bookmaking. I'm sure the hon. member knows why there would be violence in a situation such as that.

I know that the hon. member has made allegations that since the death of Magaddino there is this movement to control the so-called tentacles of organized crime in Ontario by some other organization or "family." As I say our police investigation, at least up to now, hasn't indicated any great connection between all these incidents; of course, they are all being investigated.

The intelligence branch of the OPP has been beefed up—and this was done in the last 18 or 24 months. We have more men involved in this type of investigation and of course, it will continue. If there is any connection as alleged by the hon. member, of course, extraordinary steps would have to be taken.

Mr. Shulman: Supplementary.

Mr. Speaker: One supplementary.

Mr. Shulman: Does the minister think it's coincidence that Chomski's partner was murdered within a few months of Chomski being blown up?

An hon. member: Does the member?

Hon. Mr. Kerr: Mr. Speaker, I don't want to make any suppositions, or answer a question of that kind. There could be some coincidence to it; there is no question about that. Our concern is that there is an increase in gambling and bookmaking in the province, to some extent. Now, whether this is the result of the death of, shall we say, a very important criminal figure in the United States is the question that we are trying to answer.

Mr. Speaker: The hon. member for Downsview.

RENT INCREASES FOR GAINS RECIPIENTS

Mr. Singer: Mr. Speaker, I have a question of the Minister of Housing. Could the minister explain to me what Ontario Housing Corp. has in mind when it raises the rent of a tenant who lives at Lawrence Heights from $38 a month to $48 a month—that raise will become effective on Jan. 1, 1975—apparently because he is going to have an extra magnificent income from GAINS of $6 a month. And then they throw in the payment of his hydro bill, which leaves him with a net loss, because of this great GAINS scheme, of 50 cents a month. Could the minister explain that?

Hon. Mr. Irvine: Mr. Speaker, there has been more than one instance in this regard, whereby the rent increases are related to the actual income, and the GAINS programme has been increased from what it was originally announced. So, I think it's in order to also increase rents to a limited degree.

Mr. Singer: By way of supplementary.

Mr. Speaker: One supplementary.

Mr. Singer: Does the minister properly understand that the benefit of GAINS to this particular individual is taken away completely and immediately, by Ontario Housing Corp.? In fact, they take away more even than the man is going to get—he loses 50 cents a month—and his only source of income really is his old age pension?

Hon. Mr. Irvine: Mr. Speaker, I understood what the hon. member said. I'm not aware of that particular situation. I'll investigate it and talk to the member directly.

Mr. Speaker: The member for Sandwich-Riverside.

TRANSBOUNDARY AIR POLLUTION

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Minister of the Environment regarding transboundary air pollution in the Windsor-Detroit area. Could the minister give the House a report on his discussions with the federal Minister of the Environment a couple of weeks ago on the question of a reciprocal agreement between Canada and the United States as a means of reducing transboundary air pollution between Canada and the United States in general and between Ontario and Michigan

and Windsor and Detroit in particular, as promised in the estimates of Oct. 24?

Hon. W. Newman: Mr. Speaker, in answer to the member's question, I did meet with Mme. Sauve, I believe about 10 days ago. This was on our agenda and we discussed it at some length. As the member knows, we have, not an agreement but an understanding between the state of Michigan and the Province of Ontario.

Interjections by hon. members.

Hon. W. Newman: We talked to Mme. Sauve and asked her through her good offices to have Mr. Trudeau put this on the agenda when they were discussing matters when he met with Mr. Ford. She assured me that that was on the agenda and that they would be discussing the transboundary air pollution problem and how the IJC should be monitoring it.

Mr. Burr: Supplementary: Could the minister get a report from her about whether this discussion between the President of the United States and the Prime Minister of Canada actually did take place and what the result was?

Hon. W. Newman: Mr. Speaker, I would assume that she knows of my concerns, as I expressed them to her, and that she will be sending these on. If I do not hear from her within a reasonable length of time, I will certainly be in touch with her.

Mr. Reid: Supplementary, Mr. Speaker: The minister referred specifically to Michigan and Ontario. Would these conversations include Minnesota also where we have a problem in the Fort Frances area from pollution from International Falls, Minn.

Hon. W. Newman: Mr. Speaker, we are very much aware of the problem the member is faced with there from the other side. When the plant was shutting down to put in abatement equipment we asked them to completely shut down their operations. We sent wires to the appropriate environmental people there. We sent wires to Ottawa. I must say the government of Canada did also support us to some degree on that, because of the tremendous amount of problems we were having on our side. We also sent up our mobile monitor to keep an eye on it because they were to shut down, I believe, when they put in the new equipment. At least, we wanted them to shut down when they put in their new equipment, which I believe was in November.

Mr. Reid: Is there further surveillance?

Hon. W. Newman: We are keeping an eye on it.

Mr. Speaker: Any further questions?

Mr. Good: Mr. Speaker.

Mr. Reid: Mr. Speaker.

Mr. Speaker: The hon. member for Rainy River.

UNITED SENIOR CITIZENS' BRIEF

Mr. Reid: Thank you, Mr. Speaker. I have a question of the Minister of Community and Social Services relating to the United Senior Citizens of Ontario brief. Has the minister received it and has he made any reply to the United Senior Citizens brief specifically in regard to their OHIP cards, their identification cards and their admittance to conservation authority areas?

Hon. R. Brunelle (Minister of Community and Social Services): To my knowledge, Mr. Speaker, I haven't received a brief from the senior citizens recently. The hon. member referred to OHIP. OHIP comes under the Ministry of Health.

Mr. Reid: The minister hasn't received a brief?

Hon. Mr. Brunelle: Not to my knowledge.

Mr. W. Ferrier (Cochrane South): Mr. Speaker.

Mr. Speaker: The hon. member for Cochrane South.

MINING CROWN CORPORATION

Mr. Ferrier: I have a question of the Minister of Natural Resources. What has happened to the Crown corporation for exploration, development and possible investment in mines that he announced he was going to set up at a meeting of the Man and Resources conference in March? Is he proceeding with that idea, and is he going to introduce legislation to set that up?

Hon. Mr. Bernier: Yes, Mr. Speaker. This matter is being thoroughly discussed within the ministry and then it will go forward to the resources development policy field. I

can't give any indication at this point in time of the exact timing as to when we will move forward.

Mr. Ferrier: Supplementary. The minister hasn't backed away from that idea?

Hon. Mr. Bernier: No, we have not.

Mr. Speaker: The oral question period has expired. I will recognize the hon. member for York North.

Mr. W. Hodgson (York North): Mr. Speaker, through you to the members of the House, I would like to welcome 25 students from Huron Heights Secondary School in Newmarket along with their teacher in the east gallery.

Mr. Speaker: Petitions.

Presenting reports.

Mr. Leluk, on behalf of Mr. Hamilton from the standing social development committee, presented the committee's report which was read as follows and adopted:

Your committee begs to report the following bill with certain amendments:

Bill 72, the Education Act, 1974.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Renwick: Committee of the whole House.

Mr. Speaker: Committee of the whole House?

Agreed.

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

Mr. V. M. Singer (Downsview): Nobody to call orders today?

Mr. R. F. Nixon (Leader of the Opposition): Are you going to call the orders today? What'll we do today?

Clerk of the House: The eighth order, resuming the adjourned debate on the motion for second reading of Bill 133, An Act to establish the Ontario Land Corp.

ONTARIO LAND CORP. ACT
(concluded)

Mr. Speaker: Do any other hon. members wish to speak to this bill?

Mr. Singer: Yes, Mr. Speaker, I'd like to speak on it.

Mr. Speaker, on this bill I rise to support the position taken by my leader and to wonder aloud, and hope that the minister can bring us some of the answers, as to why we want or need another shield to remove dealings with land one step further away from a supervision of the Legislature.

Unfortunately, the province's history of dealing with land has not been a happy one. I notice that when the minister in this bill asks that there be set up the Ontario Land Corp., he provides for a board of directors, and for minutes to be kept undoubtedly; and the minutes will be just as available to us are the minutes of the Ontario Housing Corp.

This is going to be just another barrier to members of the Legislature and members of the public trying to find out what, in fact, is going on in dealing with land.

Surely, the government should have learned its lesson by now and set out a unified system of buying land, selling land and expropriating land.

It should be in the charge of one minister and it should be part of a government department and the details of the functioning of that department should be subject to the usual reviews.

It should be subject to review by this Legislature; the responsible minister should answer questions; the estimates should be passed in the Legislature and the civil servants appear during estimates; and there shouldn't be the same kind of secrecy and mysticism that presently surrounds so much of the land dealings this government has indulged in.

Now, Mr. Speaker, why is it necessary at this time for an additional barrier that is going to remove once again the whole question of land dealing? Mr. Speaker, when you look at this Act you see, well item 6—oath of secrecy and so on—you can see just how far the government wants to hide from proper review what, in fact, is going on.

In my comments on the budget debate I read into the record an exchange of letters I had with the member for St. Andrew-St. Patrick (Mr. Grossman) when he was the responsible minister for housing. I was endeavouring to get some information and access to the minutes of the Ontario Housing Corp. I haven't had any success in that. And I doubt very much that if this land corporation is set up and there is a minute book, that we are going to be able to see what is in the minutes of the operations of that

corporation—even after the transaction is completed. I have talked in recent days with the Minister of Government Services (Mr. Snow) about methods by which evaluations are made, and he makes a point that while negotiations are still going on, perhaps the amount of such valuation should not be public knowledge. I can go along with that, but it would seem to me that after the event, Mr. Speaker, there is not only a right to opposition members to examine these documents but there's a duty upon the government to bring them forward. If we have the Ontario Land Corp., again we are going to be that much more prohibited in doing this.

Mr. Speaker, I notice the conflict of interest sections here and I think they are very interesting; but all this, again, is going to be done behind closed doors. If one of these directors of the land corporation has a conflict of interest, he would be required by this statute to stand up and declare it and refrain from voting. Now, where's that recorded? That is going to be recorded in the minutes and no one else gets to know about it. I say this is wrong.

There has been the suggestion—and this is one of the reasons I have been trying to find out what's gone on in Ontario Housing Corp.—that in many dealings that Ontario Housing Corp. had in land a number of directors from time to time got up and said: "I have an interest in that, I refrain from voting." It has happened so many times that some people have wondered whether or not this might not go by rote.

The Premier (Mr. Davis) has seen fit in recent months to lay down certain rules regarding conflict of interest and property holdings and assets and so on insofar as cabinet ministers are concerned. Now we can review that here in this Legislature, but these conflict of interest sections that are put in in relation to the Ontario Land Corp. really are meaningless, because everything is going to be done behind closed doors. I am not suggesting that any of the directors are dishonest, but if there are declarations of conflict of interest and they are only recorded in a secret document, how in any way is the public going to get to know what in fact they are, or if they take place, or when they take place, or whether or not a particular director has any business being on that board or not?

The Premier said quite clearly: "I don't want anybody in my cabinet who is going to have conflicts." He made that abundantly clear and it has had an effect, I think. But what the government is doing is allowing a secret declaration of a conflict of interest in a corporation that could affect hundreds of millions of dollars of the public money to be hidden in the minute book. Does that make any sense? I suggest it doesn't.

I thought those points were of sufficient importance, Mr. Speaker, to add them to the remarks already made. We object very strenuously to continued delegation of power and continued setting-up of new agencies of the Crown whose activities are going to be almost impossible to review. They are going to be surrounded by a careful minister who is going to guard all of their workings. The ability of the Legislature to find out what is going on is very limited, and I would think that this minister, rather than dream up new schemes for new agencies to handle millions of dollars and not be subject to review, would be very anxious to bring in a scheme by this government which would establish a pattern for dealing with land which would be done through the hands of a responsible minister who would be answerable in the House at all times for all his actions. So for those reasons, Mr. Speaker, I am going to vote against this bill.

Mr. Speaker: Does any other hon. member wish to take part in this debate?

Mr. R. F. Ruston (Essex-Kent): Mr. Speaker, I might just speak very briefly on it.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. Ruston: I think of the parts of this bill where it gives the land corporation power to buy land and develop it into residential areas and so forth, but the thing that bothers me is that we have had so many restrictions in the last few years and such problems to get zoning approved and official plans approved that much of the development that could have been done is being held up in approvals here.

I just think of my own case in my own area, where I had a call from a town solicitor yesterday. They got word from the Ministry of Housing that they'd have to change all their zoning bylaws, proposed zoning bylaws and official plan. Actually the official plan has never been approved and has been in Toronto for two years. They can't get zoning bylaws approved until the official plan is approved. And now subdivision agreements and so forth, where involving many acres of land all ready to be developed, are being held up.

The clerk of a municipality calls me and says they've been working on these diligently for three or four years thinking they're doing everything properly. A municipal lawyer, who I feel is one of the best municipal lawyers in Ontario, also calls me and says he's frustrated by decisions of people in the Ministry of Housing, in the London division, and that they just can't get things going so the builders can go ahead and make homes available.

I don't know that this is really going to help any. I think I'm maybe off the track a little as far as speaking on this bill goes, but I can't see that having a land corporation with the power to go in and buy property is going to help us do that. I don't think it's going to build any new houses for us.

I just think, Mr. Speaker, that this isn't going to solve it. We have a proposal by the Minister of Energy (Mr. McKeough) down in western Ontario where he was going to have 800 homes built around what was known as the Cedar Springs Hospital. There was no town and no services there whatsoever, except a sewer service that was built large enough to handle more than what the hospital needs. We have many adjoining towns in the area that could take this development, rather than building a new development just out in a new area completely. Adjoining towns have churches, schools and many business facilities that could handle this. I just think we're heading off in the wrong direction. All we need is quick approval of good plans for subdivisions and so forth. That would solve our housing needs in a hurry.

Mr. Speaker: Is there any further debate? The hon. minister.

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Mr. Speaker, I'm going to accept the request of the opposition members that this bill should go into a standing committee.

Mr. M. Cassidy (Ottawa Centre): That is very welcome.

Hon. Mr. White: Hopefully for a day or two, or whatever it takes next week.

Mr. Cassidy: We will try our best to be co-operative.

Hon. Mr. White: This will give an opportunity for questions and answers and the presence of members of the public, and an opportunity, indeed, for members of the public to ask questions and provide criticism or suggestions in a way that wouldn't be possible if we were to confine our activities to this chamber.

For that reason, sir, I think I won't get into some of the detailed questions that have been put to me, but rather leave those for the standing committee. What I would like to do here today is to describe the function, structure and reporting relationships of the corporation being proposed in this bill and deal with some of the broader criticisms which have been offered by the Leader of the Opposition and other members of the Legislature.

I think many of the misapprehensions which have been voiced by the Leader of the Opposition and others, including members of the development industry, are based on misinformation. It's perfectly true when I mentioned this new agency of government in the budget it was my thought that it would be a stronger structure and that it would have bolder objectives. I myself and my colleagues concluded, after some weeks and months of rumination and with the advantage of criticisms that had been offered from a wide variety of sources including members of the Legislature, that we would be wise to originate the Ontario Land Corp. in a conservative fashion.

This was mentioned by the House leader in a speech he gave recently and which has been quoted by a couple of members here. From the four models which had been described, the government chose a conservative model. What was that conservative model? Very briefly this: That there shall be a corporation responsible to the House through the Treasurer which would have a financing responsibility only and no operating responsibilities.

So there will be a board, if the Legislature passes this legislation, consisting of a dozen men and women, with a very small staff—10 or 20 or 30 perhaps—who will go to market, without an Ontario guarantee. I heard time and time again in this House that we were empowering this board of directors to use the credit of Ontario—the Leader of the Opposition said it half a dozen times and other members said it too—thereby vesting them with this enormous power via the undoubted triple-A credit of the province. Well, sir, this is not a fact.

Mr. R. F. Nixon: Would the minister permit a question? It is true, however, that all of the land that will be transferred to them can be used for collateral for raising funds for their own purposes on the aims set out by the bill. Is that correct?

Hon. Mr. White: Yes, hopefully when this corporation is put in place they will take over a number of pieces of property, including two in Haldimand-Norfolk, the North Pickering site and perhaps others. This will be their start-up capital, if you wish Mr. Speaker.

They will give an IOU to the government for the cost of those properties, which will amount, I suppose—if North Pickering is included, as I expect it will be—to a couple of hundred million dollars. Then the corporation will go to market soon afterwards and raise moneys which will then be used to redeem the IOU to the government.

The point I am making is that they won't have the guarantee of the Province of Ontario, and I would like to deal with that for a moment or two. We do guarantee Ontario Hydro's borrowings in Canada and we do borrow in the name of the Province of Ontario for Hydro's needs in the New York market and in European markets. Now sir, this is the way it is and this is the way it is going to be. We have no way of altering those circumstances even if we wish to do so.

I was determined, therefore, when the Ontario Land Corp. was originated, that we shouldn't provide a guarantee which would lock us in forever, quite frankly. I saw the Ontario Land Corp. going to market without such a guarantee and thereby subjecting its operations to the full force of market opinion. So while it may be necessary to pay a fraction more in interest rates to the lenders, these additional costs will be devolved to the property owners and property renters and will not be a charge against the taxpayers of this province. I think that is the way it should be.

If the increment becomes too large it will be a clear, steady signal to members of the government, members of the Legislature and members of the public, that the operation is floundering and that a new board should be appointed or that the board should appoint new officers to the corporation or that some other action should be taken in order to regain the efficiency, and thereby the confidence, of the investors who acquire these obligations.

So for these several reasons, I think we are very wise in not providing a guarantee and not proposing to borrow on account of this corporation's activities.

The Ontario Land Corp., as I said, will have no operating responsibilities. There will be created a project corporation for a new city site in Haldiman-Norfolk. And this is the second misunderstanding; that corporation will not report to the Ontario Land Corp., it will report to an operating ministry, in this example the Ministry of Housing. If a large industrial parksite were acquired, the board of directors of that project corporation would report to the Ministry of Industry and Tourism.

Sir, another misapprehension is that this is going to be done in some secretive fashion out of sight of the public. On the contrary, these project corporations themselves will be established by statute. That was one of the important questions raised the other day. The board of directors of the new project corporation for the new city in Haldimand-Norfolk will have the responsibility of hiring a staff or seconding staff from the public service. In this way, we hope to have the innovative qualities and the entrepreneurial talents of the private sector in a way that frankly isn't often the case when it comes to the public service as a whole.

I have an enormous respect for public servants, but their temperament and talents are rather different, I think one would have to say, from entrepreneurs in the private sector. So we hope through the aegis of these corporations to have the best of both worlds—the steady good advice of the public servants by secondment and the enormous vigour, imagination and derring-do of entrepreneurs.

The project corporations will, perhaps through consultants and perhaps on occasion or in part through their own staff, create over a period of 18 months or thereabouts a plan for the new city site or at some later date perhaps a plan for an industrial park, and will be responsible for putting in the big pipes and the big roads. What I am determined they should not do is get into the microplanning or microservicing.

So when the new city in Haldimand-Norfolk is commenced, the project corporation will put on the broad plan, delineating, let's say, the commercial section where some light industry might go and where the residential areas are going to be, and then they will by tender invite proposals from the private sector for the creation of the housing, the shops, the churches and so on that will be needed in that new community. Then it will be the function, as always in this society, for the development industry to put in the small pipes and the small streets and design the various neighbourhoods and sections of the community.

In this way, sir, I think we can move the construction ahead very much faster because, frankly, I think that if the project corporation itself, with the assistance of a ministry,

were to embark upon the detailed planning, that could go on for years and years.

So I think, first, that we can do it more speedily using the system I am suggesting, and secondly, it fully engages the resources of the private sector, as has been the case in the past, which will once again utilize their imagination to design the new neighbourhoods and suchlike.

This brings, to my mind at any rate, the second of the advantages of this approach, namely, that we will thereby develop a heterogeneous community, not a Brasilia, as was mentioned the other day, but a community of which there are different styles, scales, approaches and artistic points of view, perhaps, and thereby over time create cities like London, Ont., Belleville and other places, where a diversity of architectural styles and other heterogeneous characteristics make for a vigorous, stimulating atmosphere.

I remember reading an excellent speech 10 or 12 years ago by Claude Bissell, dealing with the architecture on the University of Toronto campus. We at that time did believe that Western was the very best thing around because all the buildings were the same, more or less, and I was beguiled as a young man by that argument advanced by the board of governors and others.

I read this striking article by Dr. Bissell, however, and came to the conclusion that the University of Toronto campus, which reflected architectural preferences in every decade since the beginning of that great institution, created in toto a very stimulating environment for learning. The older I get the more I realize that the approach on the University of Toronto campus is better than the homogeneous approach that was taken at Western which has since been modified to some extent, I must say.

Mr. J. R. Breithaupt (Kitchener): Treasonous comments.

Hon. Mr. White: The heterogeneity which will result in the approach we are taking in the new cities will be infinitely better than the stereotyped modes which one sees in Brasilia and certain other such government endeavours.

Mr. Cassidy: The Treasurer's opinion of the capacity of the private sector is just a shade too high. I appreciate the argument. These cities took decades to build not years.

Hon. Mr. White: The Leader of the Opposition has taken rather an extreme stand on my powers. I don't understand it. I don't understand it internally, for instance and I'll detail that for a moment. The acquisition of the Cayuga site was approved by the cabinet co-ordinating committee, the Policy and Priorities Board, the Management Board of Cabinet and cabinet itself. What powers have I, therefore, arrogated to myself, when all of these matters had the concurrence of my colleagues? Externally, I have gone time and time again to the local level of government and said, "Please, tell me what you want," and nine times out of 10 I've been able to acquiesce.

Mr. R. F. Nixon: The Treasurer said they wanted another site.

Hon. Mr. White: Most recently—a week ago today—I went to the regional council of Haldimand-Norfolk and said: "How would you like us to proceed?" I had given them four options and two more were offered, so now there are six options in front of us. Whichever of the options suits them suits me. I do believe that we should not use the Ontario Planning and Development Act. So here once again I'm not using the powers provided to me by the Legislature. I think we should proceed via the regional official plan. Once again, we are subjecting ourselves to the wishes of the people in the area.

The project corporation itself is going to include some number of people from the area, regional councillors, area councillors and others. A couple of proposals have come forward from the regional council and from the Nanticoke council suggesting a larger number of local councillors and residents on this board. I had suggested 50-50 and they are proposing larger numbers. If they want larger numbers, so be it. I have no objection to that.

We further proposed to have the planning committee—all elected persons, nine members I do believe—of the regional council as an advisory council to the new project corporation. One of the members of that committee suggested perhaps the Cayuga site should go ahead before the Townsend site. If that's their wish, so be it. I have no deep-seated preference. I had gone on assumption—perhaps incorrect—that the first site acquired should be the first site developed. If the regional councillors and their own electors have a different order of priorities, I'm quite prepared to accept those. I feel very confident my colleagues in cabinet will, too.

Mr. Cassidy: This is the part of the speech that I waited for.

Hon. Mr. White: Internally and externally, one can see the charges about the enormous power of the Treasurer, the present incumbent, whose incumbency will be short-lived as members here know, are completely unfair, and I think this only distracts from the important substance set out in this bill. I think it is not helpful.

In a moment of passion, I may point out what I see to be the momentary deficiencies of the Leader of the Opposition. But I couldn't in all honesty in a setting like this accuse him of any personal deficiencies, except of course for lack of ability.

Mr. R. F. Nixon: What is holding the Treasurer back from that this morning? It never held him back before.

Hon. Mr. White: At any rate to heap imagined ambitions for power on me, when I have declared that I'm sacrificing what little power I have to return to the bosom of my family in the foreseeable future—is something that is a little bit difficult to substantiate, I do believe.

Mr. R. F. Nixon: No, the Treasurer is winding down.

Hon. Mr. White: The Leader of the Opposition said it was an important bill—and indeed it is an important bill; because it provides a very innovative agency to further the planning objectives of this province.

I don't think it's irrational when some number of people here in the city of Toronto say: "No, we don't want to have eight million people in this agglomeration." Incidentally, that's the forecast for the year 2000, if nothing is done.

I don't think it's irrational if the people in Oakville say: "No, stop; we don't want to be twice as large or 10 times as large. We like the style and scale we have right now."

I don't think it's irrational when, in London, Ont., citizens come to me, as indeed they are doing with increasing frequency, and say: "We don't want London to be 500,000 or a million—we like it 200,000 or 300,000 people."

If that is not irrational, and if we have no control over two variables—namely, the birthrate and immigration—then we have to find an alternative.

If Oakville wants to stay at the size it is, we can't drive people out of the province to other places. We can't incarcerate them on some faraway island. What we have to do is invent an alternative—and I suggest, Mr. Speaker, that the only alternative is a new city.

The new city will have the advantage further of protecting good farmlands, which would otherwise be engulfed on the outskirts of Oakville or the outskirts of London, Ont., because, not surprisingly, our forefathers located the communities in the most fertile valleys of this province.

So we propose to accommodate the increasing population—over which, as I have said, we have no control—in a systematic way by creating attractive new communities on something less than prime farmlands.

If I may divert for just a minute, the lands acquired in Cayuga, which are shown as class 2 on the map, are now described by officials in the Ministry of Agriculture and Food as ranging between a poor class 2 and class 5. And they assure me that there are no lands in this recently acquired acreage which should be kept in food production for perpetuity.

As I think I may have mentioned in this House on one occasion, establishing a new city site on these inferior lands will enable us to siphon off growth from the very good farmlands northeast of Dunnville, and the unique soft food lands which lie somewhat farther to the northeast. I hope that the Cayuga site, as it develops, will take some of the development pressures off the peninsula, as indeed I expect that the Townsend site, when it develops—

Mr. Cassidy: It is a very belated response.

Hon. Mr. White: —will take some of the stress off of the Hamilton area.

Mr. Cassidy: Those are very belated responses to the problems of the fruitland. The government has frittered away 20 years.

Hon. Mr. White: Well, better late than never.

Mr. I. Deans (Wentworth): I don't think it will. I share his—

Mr. Cassidy: To say it's better late than never will—

Mr. Speaker: Order please.

Hon. Mr. White: Insofar as the other principal division of responsibility in this new endeavour is concerned, if the people in central southwestern Ontario are becoming more and more concerned about overpopulation and overconcentration, while at the same time people in eastern and northern Ontario are

concerned about underdevelopment, surely these two concerns can be remedied at one and the same time.

Mr. Cassidy: Yes.

Hon. Mr. White: Namely, by putting in place in eastern, northeastern and northwestern Ontario industrial parks supplemented by other government measures. There are the development corporations—the ODC, the NODC, the EODC and so on—to make it more attractive for industry to move into the underdeveloped parts of the province.

Mr. Cassidy: Yes. Yes.

Hon. Mr. White: This bill will enable the government to put together a large industrial park and will enable the government to lend money into the municipalities for the creation of a hierarchy of provincial-municipal industrial parks. One wouldn't contemplate aggressive seeking of new enterprises for the large industrial park until the provincial-municipal industrial parks had reached the size and provided the employment desired by the people of the communities affected.

There will be occasions, perhaps, where a monumental work like a steel company could not be accommodated on the periphery of Carleton Place, for instance, because they need water and they need access to shipping facilities because there are certain pollution ingredients that have to be attended to on the shores of a Great Lake. With that qualification, however, I would not see one of the large provincial industrial parks aggressively seeking business in competition with the communities in the area.

Mr. Cassidy: Would the minister permit a question, Mr. Speaker?

Hon. Mr. White: Surely.

Mr. Cassidy: Perhaps having made that statement, the minister could comment specifically on the provincial involvement in the Spencerville land assembly and whether the intentions are specifically for that land.

Hon. Mr. White: I will be doing that, sir, but I cannot comment on that subject today.

Mr. Cassidy: We are voting on something that may relate to that.

Hon. Mr. White: The Leader of the Opposition said that we are sequestering the most developable land. I am sorry—I just don't remember that reference. Perhaps I'll let that go for the standing committee.

Oh yes, sequestering the most developable land! On the contrary, the private sector is not going to acquire land in northeastern Ontario for a large industrial park. As a matter of fact, at one of the many, many meetings I have had, where there were a couple of hundred investment people, I said: "If you are opposed to our going into the industrial park business, leaving that for the private sector, let me hear you say so. Is there anybody in this room that will take that on? If so, please tell me now or later." Of course not.

Of course the private sector can't put together thousands of acres in northeastern Ontario for a very long-term development. It's beyond the range. The risk is too great for the private sector, and if the private sector can't do it, once again the public sector is called upon to do it. This is the history of Canada, going back to the very earliest days of this country. So once again we are called upon to do it, to provide the economic stimulation which is desired directly by the people of northern and eastern Ontario and which is indirectly desired by people in central and southwestern Ontario.

Mr. Cassidy: That's right, we have got enough socialism for the corporate sector.

Hon. Mr. White: Reference has been made to the acquisitions by the Ontario Housing Corp. in Brantford and Kitchener and elsewhere.

Mr. R. F. Nixon: Those 18,000 acres.

Hon. Mr. White: I think quite frankly that the Ontario Housing Corp. should provide housing, period, and that every nickel available to it from provincial funds and from CMHC should be dedicated to that cause, and I think that in itself will become a challenge, which is diluted now when they have the dual responsibility of providing housing and getting into occasional developments. I think one of the advantages of the Ontario Housing Corp. land assembly and development, which is not their function and which perhaps they haven't done perfectly in the past, and I think it meets the objection voiced yesterday by the Leader of the Opposition.

Reference has been made to the Ontario plan, and I am a little confused by these comments because I am told that we should have had it a long time ago, and I am told by other members that I am doing it far too quickly. Well, I am not doing it too quickly. This regional planning branch has been in place for years and they have done a lot of

studies in different quadrants of the province. They have been part of my direct responsibility for a couple of years and I have said to them from time to time: "Come on—let's get going." I finally said to them very strongly, I think it was last May: "I am not going to wait any longer; I've got to have an official plan, however rudimentary it may be, next fall." I got that undertaking from them and I hope to have it by the end of the fall.

Mr. R. F. Nixon: You've got a couple of days—

Mr. Cassidy: Eight days to go.

Hon. Mr. White: Or shortly thereafter. Now, this Ontario plan will be the first rudimentary plan. I am not going to apologize for that, either, because it will be an important discussion document enabling people in every part of this province to say: "Hey, this can be improved upon."

Mr. Cassidy: Is the Treasurer blaming his planners?

Hon. Mr. White: No, I am not blaming them.

Mr. Cassidy: It is the political motivation of the government that is at fault.

Hon. Mr. White: But they are a little bit concerned that their professional expertise and integrity will be imperilled if it isn't made crystal clear that this is not their final perfect document. That's what I am saying here today.

Mr. Cassidy: But the government was obsessed with Toronto and brought the TCR out four years ago and wouldn't do anything else.

Hon. Mr. White: There have been a lot of things done in keeping with that report—transportation and many other things.

Mr. Cassidy: But all focused in Toronto.

Hon. Mr. White: The Leader of the Opposition asked that we remove the growth pressure from central Ontario and made particular reference, I do believe, to agriculture, I must say that once again this provides the government with an instrument to accomplish that objective in a way that, frankly, will not be the case if this bill isn't passed. Time and time again I heard the hon. member say this was an intrusion into the private sector and that this would in some way impair free enterprise in this province.

I want to say again to you, Mr. Speaker, that the socialists' complaints are right. We have backed away from an operating responsibility for the OLC and we have backed away from a full-fledged development function for the project corporations, so that we will be engaging the talents and resources of the private sector, which will be called upon to put in the streets and the pipes and the neighborhoods in various sections of these new communities. When one sees the forecast of population increase and recognizes in the next 25 years we are going to have to provide housing for 10 million people at a maximum, eight million people at a minimum, we can see that we are more or less going to have to double the housing stock in this province.

The resources of the private sector of the development industry and the construction industry will be fully engaged for the next 25 years in meeting these objectives. The fact that we are now compelled by circumstances which I have touched upon to add to their efforts to accommodate our people, to avoid overconcentration of population and to safeguard prime food lands should not in any way lead to their opposition to these measures. I know the NDP don't like to hear me say this because they would have us go into a much bolder form of public enterprise. However, observing other jurisdictions, including Sweden which is heralded by the socialists as the paradise state of the world, the last time I heard about housing in Sweden one had to wait 16 years to get a flat.

Mr. R. F. Nixon: What about the BC Land Corp.?

Hon. Mr. White: That's how full blown socialized housing works.

Mr. Cassidy: Why doesn't the Treasurer answer the questions raised in this Legislature rather than going off at a tangent?

Hon. Mr. White: Well, it was the member or one of his colleagues who mentioned Sweden, it wasn't me.

Mr. Speaker: Order, please.

Mr. Cassidy: I mentioned the innovations of conservative government in Sweden.

Hon. Mr. White: The member introduced it, not I.

Hon. G. A. Kerr (Solicitor General): Carried.

Hon. Mr. White: Oh, no, this is going to take a long time. Take a little break.

Some mention was made of the fact that Ontario would become the largest landowner; I think was the phrase of the Leader of the Opposition. Is it known to the members of this Legislature that there are 412,000 square miles in this province of which only 42,000 are privately owned? In other words, whether one likes it or not—

Mr. R. F. Nixon: That's not land.

Hon. Mr. White: —the Province of Ontario owns 90 per cent of the territory in Ontario.

Mr. R. F. Nixon: The Crown used to own the whole thing.

Hon. Mr. White: This includes good land close to the cities and bad land far out from Hudson Bay. The idea of opposing us on the basis of this complete departure from previous practice is complete and absolute nonsense.

Mr. Deans: A lot of useless information.

Mr. Breithaupt: It certainly convinced me.

Hon. Mr. White: Our Minister of Government Services is buying and selling land all the time and indeed is a very large landowner and landlord. It is said that there isn't sufficient control by this Legislature on behalf of the public. I tell you, sir, that this is completely incorrect. The acquisitions have to be approved by the Lieutenant Governor in Council. They do not use Ontario's credit so they are subjected to the full force of the marketplace and the investors.

Mr. R. F. Nixon: They have got their own credit. They don't have to go to the consolidated revenue fund.

Hon. Mr. White: The project corporations report to the minister who is responsible for their activities and subject to questioning in this House. The Provincial Auditor appoints the auditor and comments on his reports, no doubt. The annual report of the Ontario Land Corp. will be laid before the Legislature. The financial statements will be laid before the House. The accounts will be subject to the scrutiny, as I say, and the report by the Provincial Auditor. The control and direction by a minister who reports to the House is built right into the bill, explicitly.

Mr. Sheppard of the London Free Press was quoted by the Leader of the Opposition as saying that the conventional powers of a municipality would be withheld by the project corporation "until the land corporation decided" that there should be an evolution toward a more democratic structure. That is not to be decided by the project corporation, I can tell you. This will be the decision of a provincial-municipal partnership.

When the city site is first developed there will be half a dozen people there. As the population increases it will be possible to evolve a full-fledged municipal operation. Frankly, the details of this are as yet undecided and will be decided in co-operation with the regions and municipalities affected. In other words, what may be appropriate in North Pickering, involving as it does three area municipalities and three regional municipalities, may be quite different from the needs and wishes of Haldimand-Norfolk.

Once again, I have to say that I don't propose to crunch all of these new endeavours into a single mold. I would like to see a heterogeneous approach taken, and whatever suits the area concerned is going to suit me—with one qualification. If we originate a new city so that Oakville won't be overexpanded, or so that the people in Brantford can control their own destinies with respect to size, then we cannot have the surrounding municipalities to the new city say: "No, you can't have any people here." So that's the only qualification that I have to introduce.

I did mention, I think, Mr. Speaker, that I propose to use the regional official plan in Haldimand-Norfolk, certainly, and probably elsewhere and not the Ontario Planning and Development Act. So when the Leader of the Opposition says I'm usurping the planning function of the region, he apparently is not aware of that determination.

Mr. R. F. Nixon: The official plan designates both these areas as agricultural.

Hon. Mr. White: There was some ranting and raving about 10 new towns by the year 2000.

Mr. R. F. Nixon: Ranting and raving! What is the Treasurer talking about? He's criticizing himself—he was ranting and raving.

Hon. Mr. White: Listen, when a reporter says to me: "What do you think might happen?" I don't know what's going to happen. We have three city sites now; maybe we'll have 10 by the end of the century. I don't know if we're going to have three or 300—I haven't the faintest idea. To pull some number out of the air and whip me with it I think isn't particularly clever.

Mr. R. F. Nixon: The number was pulled out of the air by none other than the Treasurer!

Hon. Mr. White: Well, I mentioned different numbers depending on my mood and I'm not going to be criticized for any of them, because they are not predictions, as such.

Mr. R. F. Nixon: According to the London Free Press there will be 10 new cities by the year 2000. That's typical of the announcements the Treasurer makes.

Hon. Mr. White: Well, why doesn't the Leader of the Opposition guess, then? We'll have at least three, that I can guarantee. Beyond that I can't say.

The hon. member for Riverdale (Mr. Renwick) said: "Well, this is quite a comedown." The Leader of the Opposition says: "This is a terrible monster." And the hon. member for Riverdale says: "This is a puny little 98-lb. weakling." I've got news for the Leader of the Opposition. The member for Riverdale is more right than he is.

Mr. Breithaupt: A 98-lb. monster.

Hon. Mr. White: We have removed from the potential corporation all operational responsibilities. They will not be servicing and developing land, as I had at one time thought, and there are a number of other things that they will not be doing as, once again, we take a conservative approach to the solution of pressing public requirements.

The project corporations which will be receiving moneys from the OLC for the acquisition of land, will be established by statute, as I have said; and such statutes have been drafted already. They will be special Act corporations; they will report directly to the minister involved.

There is a provision in one of the sections —section 13 of subsection 2—for an interlocking board of directors. My thought was that as the OLC lends substantial sums of money into a project corporation, one of the directors of OLC should be on the board of the project corporation to maintain a liaison, and as a further safeguard for the bondholders of the OLC.

Well, the member for Ottawa Centre—what a remarkable chap he is—plunged in once again with a torrent of words signifying nothing. I thought when I saw him in Ottawa on Wednesday sitting quietly for one day, I thought that that remarkable control on Wednesday would be shattered into complete uncontrol on Thursday—and I was right—because the hon. member for Ottawa Centre heaped a lot of words, covering a wide waterfront, and wasn't helpful at all. He is certainly no businessman.

Mr. Cassidy: How can the Treasurer say such cruel things, when we said we would support the bill?

Hon. Mr. White: He said there wasn't enough planning—and I have tried to deal with that. He said it was contradictory—and I have forgotten why. He asked rhetorical questions.

Oh yes, here is something he did say or inquire about that must be dealt with. He said they are not in any plan; that is to say, the new city sites that we have singled out. Well, in fact, it is perfectly consistent with every planning document published here in the last 20 years. It is certainly very much in keeping with recent planning statements; and certainly will be in keeping with the COLUC report. It certainly will be in keeping with the Ontario plan, because essentially the objective of the plan is to move development out of the over-developing parts of this province and beyond zone 2 — and these sites are beyond zone 2.

Mr. Cassidy: But they are not either in the east or north—they are away down in the southwest.

Hon. Mr. White: The southwestern development is something that is going to happen and which, as a matter of fact, is quite welcome by me. It was only a few years ago that the NDP were parading themselves through Haldimand-Norfolk talking about rural slums and so on. The Globe and Mail featured those vicious attacks on that glorious part of Ontario. And, by the way, the NDP cripped themselves indefinitely for going after the characteristics of Haldimand-Norfolk.

The fact of the matter is that incomes were less than average and amenities were less than average. Those disadvantages were more than offset by certain lifestyle characteristics, which were very much liked by the people there and by me. However, now there is going to be accelerating economic development. Through the aegis of good planning and good planning tools in the regional government, and now with the assistance of these new city project corporations, we are able to have the best of both worlds.

Mr. Cassidy: No, it is overkill on a monumental scale; and that was the Treasurer's goal.

Hon. Mr. White: We are able to protect the Lynn Creek, we are able to protect the Grand River, we are able to protect the

forest stands along Lake Erie, we were able to have all those natural amenities—and also high living standards.

Mr. R. F. Nixon: High living is great.

Hon. Mr. White: Yes sir, that's right. A question was asked about selling land for low cost. We see this as a break-even proposition. I would expect, although the decision couldn't be made without having advice from the responsible boards of directors, that the commercial areas would be sold at a profit, the middle and upper income neighbourhood sold at cost, and the less prepossessing, more modest residential areas sold at less than cost, that subsidy being provided by the profits on the commercial and industrial sales. But, as I say, this is a notion of my own at the moment which hasn't been considered rigorously and which has not been decided upon.

The question was asked: What will the effect be on Ontario Hydro borrowings? I think it will not have any significant effect. The hope and expectation is that the new syndicate which will be formed following a proposal call will be using instruments quite different from those of Ontario Hydro and will tap an entirely different market—by which I mean a retail market—in a way, frankly, that Hydro does not, because nearly all of Hydro's sales are going into institutional holdings and large private holdings.

Mr. R. F. Nixon: The one the Treasurer is advertising today isn't quite as attractive as the one he advertised in New York six weeks ago.

Hon. Mr. White: I'm sorry—I missed that.

Mr. R. F. Nixon: That is the borrowing on behalf of Hydro—the Americans can't afford it.

Hon. Mr. White: Well, interest rates do change. I'll give the member a separate little talk on that one day.

Mr. R. F. Nixon: Make the offer here when they are high—don't offer us eight per cent and the Americans 10.25 per cent.

Hon. J. W. Snow (Minister of Government Services): It is 9.97.

Mr. Singer: That's on the ones that mature in 2000.

Mr. R. F. Nixon: The Conservatives may not be the government then.

Hon. Mr. White: The criticism was offered that I've given only a month to Haldimand-Norfolk to express their preference with respect to the priority development of the Townsend site or the Cayuga site. There is a desperate need to get more housing in place in that part of Ontario. When one sees the increase—and perhaps we'll deal with this in the standing committee—in the number of workers on the several industrial sites and the multiplier results when one includes storekeepers and doctors and barbers and so on—

Mr. Cassidy: Stelco came and told the government when they needed the housing.

Hon. Mr. White: —there is going to be a very large population increase. These people must have some place to stay. If all of the burden is thrown on the existing municipalities, frankly, those small towns and villages stand in danger of being completely ruined. If we are going to have housing started there 30 months from now, we can't spend 12 months deciding on which of these sites to go ahead with first.

Mr. Cassidy: Did Stelco tell the government?

Hon. Mr. White: Does the opposition really think that taking six months is going to enable a regional council to come up with a better answer than doing it in four weeks? Not on your life. These people know the territory the same way you know your own backyard. And they will, to some extent intuitively and to some extent intellectually, decide on the merits of proceeding with the Townsend site first or the Cayuga site.

Mr. Cassidy: Did Stelco say to get the housing in place in 2½ years? Was it Stelco's orders?

Hon. Mr. White: Spending a lot more time isn't going to give a better answer.

Quite a lot was said about the possibility of conflict of interest. The member for Ottawa Centre, the member for Downsview and perhaps others have asked about this. Section 5 provides that such conflicts must be disclosed and section 5(1) requires that he not vote.

The members of the board of directors for OLC must be men and women who have financial experience or development experience or some other such skill. At least, some number of them will have to do so, although I am glad enough to see members of the public, whether they be housewives of clergymen, putting in some kind of lay opinion. We must have some number of people with very definite, developed skills. These men

and women will have business connections, almost by definition.

The trick becomes to get the expertise we need on to that board while avoiding any conflict. If we apply the same rule to these members of the board as we impose upon cabinet ministers, we are going to come up with a board which doesn't have the capability of running this important operation.

So what we have done is said—well, let me deal with this for a minute, as my hon. friend from Downsview is shaking his head. It would be unthinkable to put the vice-president of an investment house on this board. It would be unthinkable to have the president of the development corporation on this board. The conflict would be so close, so obvious, so continuing that that would be unthinkable.

Mr. Cassidy: But it is permitted in the Act.

Hon. Mr. White: Is it unthinkable, though, to get the retired president of a chartered bank who has an enormity of experience and wisdom to offer and who is himself on the board of Canada Packers, for instance? One can envisage in such a situation there being a conflict. But if we exclude experienced men and women like that we are going to end up with a funny-looking board. I'll tell you who they are going to be—the Michael Cassidys of the world, 12 of them.

Hon. W. Newman (Minister of the Environment): Oh, no! What a horrible thought.

Hon. Mr. White: See what happens?

Mr. R. F. Nixon: Oh, God. It is even worse than I thought.

Hon. Mr. White: And they will be right straight down the drain—a failure on day one.

Mr. Singer: The Treasurer just proved our point. The government doesn't need a board.

Hon. Mr. White: So under section 5(1) we are going to require that any conflict be revealed and the person withhold and not participate. This is the requirement for municipal councillors and other elected persons.

Mr. Singer: The government has used it to the most illogical and absurd end.

Mr. Cassidy: It is crazy to have a director of Cadillac on this committee.

Interjection by an hon. member.

Mr. Singer: Yes, but they do it publicly. Municipal councillors do it publicly, it is recorded in the minutes and the minutes can be looked at by any ratepayer.

Hon. Mr. White: This, sir, is an all-too-brief summary of the structure, function, reporting relationship and objectives of the Ontario Land Corp. and the special project corporations which will be offered to the Legislature in its wake. I see it as a very innovative change in the instrumentation and the operation of the province.

I think it will enable us to meet the changing objectives of society. It will enable us to accommodate the people in Halton who don't want to grow quickly forever, presumably, and in places like Brantford and Brant and London, Ont. It will enable us over time to evolve better systems for protecting our prime food lands for the use of our own people and humanity around the world. It will enable us to put in place significant economic developments which will, I have no doubt, induce additional outside industrial development in eastern, northeastern, and northwestern Ontario.

At the same time it limits the powers of the corporation, thereby meeting, in fact, the objections of the Leader of the Opposition. It does require in a variety of ways complete disclosure and reporting to this Legislature both in the inception of the project corporations and as they develop and as they report through one of three responsible ministers in this parliamentary system.

So I think, notwithstanding the very serious criticism of the socialists who say it doesn't go far enough, that we have invented a mechanism to accomplish several objectives which were coming to the forefront, as far as the priorities of our people are concerned, and at the same time fully protect the citizenry, through this Legislature, against the abuse of the powers of this new agency.

I hope, Mr. Speaker, that the debate having been concluded, the Liberals will join us now in supporting this important new legislation.

Mr. Speaker: The motion is for second reading of Bill 133.

Mrs. M. Campbell (St. George): Mr. Speaker, I wonder if I may raise a point on this, I don't think the bell can be heard on the fourth floor where the labour group is meeting and I wonder if someone could be sent?

Mr. Speaker: Yes, I think that could be arranged.

The House divided on the motion for second reading of Bill 133, which was approved on the following vote:

Ayes	Nays
Allan	Braithwaite
Auld	Breithaupt
Beckett	Campbell
Belanger	Deacon
Bernier	Good
Birch	Haggerty
Bounsall	Nixon (Brant)
Brunelle	Reid
Burr	Sargent
Carruthers	Singer
Cassidy	Spence
Clement	Worton—12.
Davis	
Deans	
Downer	
Evans	
Ewen	
Ferrier	
Gilbertson	
Handleman	
Hodgson (Victoria-Haliburton)	
Hodgson (York North)	
Irvine	
Kennedy	
Kerr	
Laughren	
Leluk	
Lewis	
MacBeth	
MacDonald	
Maeck	
Martel	
McIlveen	
McNeil	
Meen	
Morningstar	
Newman (Ontario South)	
Nixon (Dovercourt)	
Nuttall	
Parrott	
Reilly	
Renwick	
Root	
Scrivener	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Snow	
Taylor (Prince Edward-Lennox)	
Timbrell	
Turner	
Wardle	
White	
Yakabuski	
Yaremko	
Young—55.	

Clerk of the House: Mr. Speaker, the "ayes" are 55, the "nays" 12.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. J. A. Renwick (Riverdale): Committee, Mr. Speaker.

Hon. Mr. White: Mr. Speaker, the request was put to me to send this to the standing committee. I'm quite agreeable to doing that. The appropriate standing committee, I'm told by my officials and others, is the standing committee on the administration of justice. I'm likewise told by the deputy clerk that that committee has three bills in front of it, so if there is no objection from members of the House, this could go to the standing committee on resources development.

Mr. T. P. Reid (Rainy River): Is that sitting also?

Mr. S. Lewis (Scarborough West): On a point of order, to which committee, then, does the Workmen's Compensation Board go, which we have been promised? Presumably it would be the natural resources committee, because that is the secretariat.

An hon. member: Resources development committee.

Mr. Lewis: Resources development committee, I'm sorry. What is happening here is that we are pushing the Workmen's Compensation Board into 1975, which we prefer not to do.

Mrs. Campbell: It is really bad for the Workmen's Compensation Board.

Mr. Renwick: Let's do it in social development, then.

Mr. Breithaupt: Mr. Speaker, would it be possible for perhaps another committee to be seized with this responsibility? Perhaps it could go to the administration of justice committee, if there was some desire to have three committees going at the same time.

Mr. Speaker: I presume the minister will clarify that as soon as posible.

Hon. Mr. White: I have no preference in the matter and I don't know what the workload is for the committees. Could this matter be left to the Clerk in consultation with the members of the committees?

Mr. Breithaupt: Perhaps it should go where it belongs.

Mr. Speaker: It seems to be the consensus that it go to the justice committee.

Agreed.

METROPOLITAN TORONTO ACT

Hon. Mr. White moves second reading of Bill 164, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Speaker: The member for Kitchener.

Mr. Breithaupt: Mr. Speaker, it would appear there are a number of minor matters being dealt with in this housekeeping bill. We have received it and have been in contact with the officials in Metropolitan Toronto and they find the bill to be, of course, to their satisfaction. I presume the various things that are being attended to are as a result of earlier consultations with those authorities.

The matter set out initially—dealing with how tie votes or acclamations should be attended to—is something which appears to be able to resolve that problem, if it should come up in future elections.

We were interested in section 5, which allows the pension benefits which have been in existence for the Metropolitan Toronto police force since 1963 to be granted to widows of members of the force who died or retired prior to that date and who are presently in receipt of no pension benefits. This seems to be a useful addition and one which will regularize the circumstances so that these pensions can be awarded and continued to persons who are certainly worthy of receiving them.

One thing that was of interest to us was with respect to the items in section 7 allowing the Metropolitan council to have no limitation on the power to make various charitable donations and various grants to organizations and individuals within Metropolitan Toronto's jurisdiction. We think that the lack of a ceiling here is surely a responsible thing and that the municipal council—Metro council in this case—will have to make its decision as to how funds are dealt with and that that should certainly be within their discretion. As I have said, Mr. Speaker, the bill contains a number of other minor amendments with which we certainly do not quarrel, and we will support the bill.

Mr. Speaker: The member for Yorkview.

Mr. F. Young (Yorkview): Mr. Speaker, I don't know that I have a great deal to add to what has already been said by the hon. member who has just spoken. Certainly this is a matter of housekeeping. This bill and the following bills tidy up certain matters which needed tidying up.

The thrust of this is in some measure, at least, bringing back to the regional government certain powers they should have and which we in this group have always maintained that once regional governments were established should be handed back to them. Certainly I think the minister is on the right track when, as regional governments are formed, they are given the powers to really operate their own business.

I know that the minister had a look at the situation in Yugoslavia a year or so ago and I think he was very interested, as many of us were who saw that, in the tremendous power that the municipalities had in that particular country. I don't think either one of us would be willing to see that kind of power transfer in Ontario, but it was a remarkable demonstration of how municipalities do operate. I understand they abolished their Municipal Act back in the early 1960s and the municipalities really have all the power of taxation and other powers which we seem to have provincially and federally here. The flow of money goes upward instead of downward. I was intrigued, as many people were, to see just how that works out.

While I think we can go some distance in that direction here, certainly I wouldn't advocate that we go where they have gone.

The interesting thing, I think, is the difference in staffs. For example, the state of Croatia had a number of staffs in that state, which I suppose wouldn't equal the staffs in any average department here in this Province of Ontario. So the major staff would be at the municipal level and then dwindling, smaller ones on the way up. This is an experiment that's going on in the world, and I think this is a healthy thing that's happening here in Ontario where we do get many of these powers back where they ought to be, at the basic government organization.

The section giving the municipality power to pay the widows of former policemen I think is good and one we think should have been done some time ago. There are, I understand, about 100 widows who will be affected here. They will now be authorized to receive about half of their husband's pension at the time of death. I would hope that something might be done by Metro to augment this a bit, because some of these pensions would be pretty small. However, they will be welcome and certainly they will be a great deal of help.

I think that's all we have to say about this bill, and certainly these remarks would hold for the other bills as well. I don't think we need to go too far on those. There may be some items in the others which we want to comment on, but fundamentally this is what we want to say about this one and we support the bill.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. minister.

Hon. Mr. White: Mr. Speaker, there would seem to be unanimous approval for this legislation.

I would just like to comment very briefly on the knowledgeable comments of the member for Yorkview. I was intrigued, as he was, by the radical decentralization of government power and structure in Yugoslavia. I think the federal government there, if I remember correctly, has 8,000 employees. Here in Canada we have something like 250,000 at the federal level. That doesn't include the army, if I remember correctly.

The municipal group which went there a couple of years ago was likewise intrigued and entranced; and to some extent envious, I do believe.

Mr. Young: Particularly Streetsville.

Hon. Mr. White: We are attempting to move in that direction. Quite frankly, we couldn't go as far as they have gone in Yugoslavia. It would be completely unworkable. I do believe in Yugoslavia, this radical decentralization is only possible because of the external control of the party and more particularly of Marshal Tito. When the municipalities got a little bit frisky two-and-a-half years ago, he sent them a 56-page letter telling them, in effect: "Behave yourselves."

We are trying to move to a more decentralized system here in Ontario, giving more power and resources to the municipal level, while of course avoiding the perils which the Yugoslavian system would invite in the absence of that external discipline.

I have some small misgivings about the power to make unlimited grants, but because it is in keeping with the general policy of the government to decentralize this authority and because it's a power that Metropolitan Toronto want to have for themselves, and because there's no evidence to date that this will be used irresponsibly, we have decided to provide them with such powers.

My fear, quite frankly, is that self-proclaimed community spokesmen will come forward and in some fashion bludgeon the councillors into a substantial grant which in that way becomes to some extent self-perpetuating, but once again I have to say that the councillors are responsible and they must be alive to this possibility and must exercise some control on their level, rather than expecting us to do so by statute.

Mr. Speaker: The motion is for second reading of Bill 164. Shall the motion carry?

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

THIRD READING

The following bill was given third reading upon motion:

Bill 164, An Act to amend the Municipality of Metropolitan Toronto Act.

REGIONAL MUNICIPALITIES AMENDMENT ACT, 1974

Hon. Mr. White moves second reading of Bill 173, The Regional Municipalities Amendment Act, 1974.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, I have a couple of comments on all of the many details presented in this bill. I would presume that most of the amendments required here are things that either have been forgotten in the drafting of the bills or have been asked for as amendments by the regional municipalities.

There is a long list of municipalities affected. Many of the amendments affect all or some of the municipalities. There are a

few things which are worthy of a little note, in that the regional councils are now given permission to appoint acting chairmen as the case is required. They can now join whatever municipal associations and organizations they see fit as regional governments to join. They can send employees away to courses or universities and pay their expenses.

The provision whereby the OMB may hold hearings regarding the financing of sewer and waterworks before the details of that funding have been figured out, is a little puzzling to me in that after the hearing has been held and the application is approved in whole or part, the board may then direct the method by which the funding shall be provided.

Why is this necessary? Maybe the hon. minister can inform me. I would have thought that in those instances the method of funding would have been figured out as part of the agreement before the municipality entered into the project or would be part of the whole process of figuring out how it was going to do this, how much is going to be charged as a user's charge, how much as a lot levy, how much as a frontage charge, a connection charge and how much would go on the general tax rate? What the reason for this is, I'm not sure, and perhaps the minister can tell me.

The provision where Ottawa-Carleton can now have their water supply and distribution on a regional basis means that they will be in the same position as most of the regional governments. There are pros and cons to regional water supply and distribution. We find in our own region, Mr. Speaker, where the supply is on a regional basis and the distribution is on an area government basis, differences come between the area and region regarding restrictions. Some area governments that had never had restrictions on water before now find because they get their water from the region there are restrictions.

The rationalization of rates by the region at the wholesale level to the area government has been accepted. The area governments found it very difficult to accept the former debenture debts of the former municipalities on a rationalized basis to be paid for by the region. This has now had to be accepted. The rationalization of rates within a region should certainly make it easier for smaller municipalities to get water supply. I'm certainly in accord with that provision of a regional water supply and distribution system, it it's going to make it more practical to bring the rate down. That is another whole matter in itself as to how water supply and distribution is financed in the Province of Ontario.

I see they're bringing the interest charge in the York region up to standard 12 per cent on back payments due by the area governments on the regional levy. But in all matters contained in here, Mr. Speaker, I would presume that most things have been asked for by the region and I don't see anything that controversial.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Speaker. My comments will also be brief on the bill, which is technical and basically a housekeeping bill. I would say that we would welcome the decision that removes the tutelage of the province on the power of regional councils to give grants to institutions, associations or persons engaged in works that are for the general advantage of the inhabitants of that particular regional area. Obviously the real limit on any moneys that may be given out is the political system and the regard that people have to have for their budgets, particularly now, with a very tight budgetary year which is coming ahead for the next couple of years. But it didn't make sense to have the limits and there were, as I recall, some inconsistencies that existed as between the limits that applied in the various regional bills.

The power of an area municipality to make a loan to the owner to pay for a connection where it has been ordered by a regional council. Again, this is housekeeping and was something which caused some problems in the Ottawa-Carleton region and, I presume, in other parts of the province as well.

Questions about the supply and distribution of water in the Ottawa-Carleton regional area: I would presume—and the minister can perhaps comment on this—that the new sections here don't basically change anything but that it is simply a matter of bringing the Model T legislation that was enacted in Ottawa-Carleton back in 1968 into line with the more elaborate legislation which has been enacted in the other more recent regional bills.

My understanding of the way Ottawa-Carleton has been engaged in water supply, and the fact that the existing Ottawa-Carleton bill says specifically that after the beginning of 1969 no area municipality had any powers under any Act for the supply or distribution of water, indicates to me that there is no real change being made but that it is a matter

more of technicalities, or of something to do with the financing. The minister could possibly explain that.

Perhaps I can just add that there is one lacuna here which is causing us enormous aggravation in the Ottawa-Carleton area. I would ask the minister to comment on this and to consider very seriously the point that I want to make.

The original Regional Municipality of Waterloo Act, as do all of that generation of regional municipal bills that we have seen in the course of this parliament from 1971 on, states that for the purposes of the particular Act the regional corporation shall be deemed to be a county and no area municipality shall be deemed to be a municipality—and that's for the purposes of the Day Nurseries Act, the General Welfare Assistance Act, and the Homemakers and Nurses Services Act. In Ottawa-Carleton we happen to be stuck with an earlier model of legislation on that particular section, and that is causing difficulties.

The Ottawa-Carleton bill, which has never been amended, states:

> On and after Jan. 1, 1969, the regional corporation shall be deemed to be a city for the purposes of the Homemakers and Nurses Services Act and the Day Nurseries Act and no area municipality shall be deemed to be a municipality for the purposes of such Acts.

So far so good. But the hooker is in section 86(2) of the Ottawa-Carleton bill, which says:

> Notwithstanding subsection 1, the regional council shall not provide services under the Acts mentioned in subsection 1 except in those area municipalities requesting such services, and such municipalities shall pay the cost thereof in the manner determined by the regional council.

What that means is simply that the regional municipality provides daycare services and homemaker services, but it must do so only after a formal request by resolution from an area municipality, and after that area municipality has agreed to pick up the municipal share of the cost of that particular service.

The consequence of that in the case of day care, which is what I know in particular, is that there are exceptional burdens put upon the day nurseries that have been established in the city of Ottawa, which has, in conjunction with the region, embarked on a somewhat active daycare programme over the last four years or so. Kids whose families live in municipalities in the region that do not subscribe to day care, have not agreed to have it and don't consider it necessary, are victims of antediluvian attitudes or whatever.

At any rate, some of those outlying municipalities have refused to come in and to take their responsibilities in day care. Gradually they are coming in, but it is taking an awful lot of time and an awful lot of effort and some of the programmes which have been brought in as well in the outlying municipalities have been of the nature of part day care, which is suitable for educational purposes but not suitable for people with working parents where they need full day care in order that the mother can work.

We also have a situation where a family which has a child in a subsidized daycare place in the city of Ottawa may lose that daycare facility because the family happens to seek cheaper housing in Vanier or some other municipality within the region; and given the close proximity of these municipalities people make their housing choices without realizing they are going into another municipality. In some cases it has been possible to provide private support, through the United Appeal or other such means, for those kids. But nevertheless that surely was not the intention, as has been indicated by the fact that in every other regional municipality day care has been made a full responsibility of the region and the costs are shared throughout the region and not borne by each area municipality.

It is an enormously unwieldy system in Ottawa-Carleton as well because it is very hard to say from where the initiative must come. Does it come from the regional municipality? Its daycare people have had difficulty enough keeping up with the demand and, dare I say it, have run into some difficulties at the political level, from councillors coming from outlying municipalities on the regional executive, who were unwilling to authorize additional staff for daycare organization. They clearly haven't got the resources to go and whip up support for day care in municipalities that haven't said by resolution they want it.

On the other hand if an area municipality says it wants it then its people, the people concerned with day care in that area municipality, have got to first win a vote on their local council and get budgetary support and so on, and then they have to go up to the region and get the region to accept it as well. It's a two-step process which has also proved very difficult.

So I would just ask the minister whether he would consider an amendment even now which would strike out subsection 2 of sec-

tion 86 of the Municipality of Ottawa-Carleton Act and put Ottawa-Carleton on the same basis as every other regional municipality in the province. It's a problem that the municipality itself has had great difficulty in resolving, and I think one bold stroke from a minister who likes to pride himself on his bold strokes would be very welcome. Apart from that, I have no other comments on the bill.

Mr. Speaker: Any other comments on this bill? The hon. minister.

Hon. Mr. White: Well, sir, as the hon. members have pointed out, these are largely housekeeping amendments. So far as I know, the Ottawa-Carleton change with respect to water and sewage is not a substantive change. Insofar as section 86, subsection 2 is concerned, this suggestion or request is in front of us and it is being considered by the government. Management Board of Cabinet is studying the financial implications for the area and regional municipalities and no doubt for our own ministry, and I couldn't accept an amendment until that analysis has been provided to me.

I have two more minor amendments—one rather lengthy—to propose, sir, and for that reason would like to see this bill go to the committee of the whole House.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this bill is to be referred to committee of the whole House, at the request of the minister.

Agreed.

Mr. Cassidy: On a point of order, Mr. Speaker. Would the minister consult with his colleagues about section 86(2) over the weekend, and possibly the amendment might be brought in next week? It seems discriminatory that whatever the financial implications, Ottawa-Carleton be dealt with differently than the other regions—

Mr. Speaker: Order, please. It is not really a point of order.

Mr. Cassidy: Well, I realize that.

Mr. Speaker: The minister, I am sure, will take that into account.

Hon. Mr. White: Now, sir, if I may change hats and be House leader for a moment, I am informed that the legislation for next week will be as follows: Bill 173, which we've been debating here today; Bill 174, Bill 81, Bill 175, Bill 170, Bill 161, Bill 177, Bill 178 and Bill 176.

Hon. Mr. White moves the adjournment of the House.

Motion agreed to.

The House adjourned at 1 o'clock, p.m.

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Legislature of Ontario Debates

No. 153



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Monday, December 16, 1974

Afternoon Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House met at 2 o'clock, p.m.

Prayers.

SUPPLEMENTARY ESTIMATES

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, I have here a message from the Honourable the Lieutenant Governor signed by her own hand.

Mr. Speaker: By her own hand, Pauline M. McGibbon, the Honourable the Lieutenant Governor, transmits supplementary estimates of certain additional sums required for the services of the province for the year ending March 31, 1975, and recommends them to the legislative assembly, Toronto, Dec. 16, 1974.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, might I inquire of the government House leader as to when we may expect to proceed with the consideration of the supplementary estimates?

Hon. Mr. Winkler: Mr. Speaker, in an effort to bring about conclusion of whatever business will be discussed in the House this week, I shall arrange to speak to the House leader this afternoon and make arrangements for when they will be discussed.

Mr. Speaker: The hon. members will be interested in knowing that there is a group of young people from Dale Road Public School near Cobourg, in that great county of Northumberland. Included among them is one of the young ladies who has been a page for the last six or seven weeks; she's back here on her first day off to pay a visit to the Legislature again. I'm sure the members will wish to accord them their usual welcome.

Statements by the ministry.

NANTICOKE HYDRO GENERATORS

Hon. W. D. McKeough (Minister of Energy): Mr. Speaker, the members may recall that the Nanticoke plant of Ontario Hydro was shut down late last summer when one of the units was damaged by fire. It was then decided as a precautionary measure to modify the end rings of the generator rotors on each of the four units. I'm pleased to report to the House today that Ontario Hydro this weekend restored to full power one of the four large generators at the Nanticoke plant.

It is expected that two more units will be back in service by next Monday. Each unit has a capacity of 500,000 kilowatts. The fourth unit will be out of service for an extended period but as a result of the restoration of power to the three units, the provincial power grid is now in a favourable position to meet winter peak demands.

Mr. Speaker: Oral questions.

The hon. Leader of the Opposition.

CSAO NEGOTIATIONS

Mr. R. F. Nixon (Leader of the Opposition): Would it be appropriate to ask the Chairman of the Management Board of Cabinet to give us a report on the state of the negotiations with the Civil Service Association over the weekend, to fill in what we have read about it? I hope he can do this without resorting to the kind of rhetoric that sometimes adds something more than just the information available.

Hon. Mr. McKeough: Question.

Mr. G. Nixon (Dovercourt): Come on, get off that stuff.

Hon. Mr. Winkler: Mr. Speaker, the hon. member tempts me to elaborate or make a statement. However, I think I will desist in that regard. We are going back to the negotiating table.

Mr. J. A. Renwick (Riverdale): Very wise.

Mr. I. Deans (Wentworth): That is the best statement the minister has made in the negotiations so far.

Mr. Speaker: Does the Leader of the Opposition have further questions?

CONSERVATION OF ENERGY

Mr. R. F. Nixon: I would like to ask the Minister of Energy, further to his report, two things. The one generator that will be out of commission for a period of time is the one that was damaged by the fire, apparently. Is it his intention to ask Ontario Hydro, the Crown corporation, to enter into a programme to persuade people to cut down on their utilization of electrical energy more effectively than has been done in the past? Is this useful, or are we still trying to maintain a very high level of utilization consonant with the expansion of the generating facilities that has taken place and will take place?

Hon. Mr. McKeough: Mr. Speaker, Hydro has been doing so for something like a year now. Their advertising programme has been directed to the wise use of electrical energy, and indeed they have been running some conservation-of-energy ads.

Mr. M. Gaunt (Huron-Bruce): Supplementary.

Mr. Speaker: The hon. member for Huron-Bruce.

Mr. Gaunt: Wouldn't the minister consider it to be to the advantage of all power users in the province to support Ontario Hydro in that regard and show some leadership with respect to conservation programmes? Secondly, has Ontario Hydro reduced its voltage in order to stretch its power supply?

Hon. Mr. McKeough: The answer to the first part of the question is, of course, yes. On the second part of the question, I don't think so but I will be glad to find out.

Mr. S. Lewis (Scarborough West): Supplementary, if I may, Mr. Speaker.

Mr. Speaker: The hon. member for Scarborough West.

Mr. Lewis: What is now the loss that we've incurred at Pickering over the last number of weeks or months that the one has been closed down?

Hon. Mr. McKeough: In what?

Mr. Lewis: In dollar terms—the cost of not operating.

Hon. Mr. McKeough: Well, it is something like $3,000 an hour in terms of burning coal at other plants— the difference between burning coal and using uranium. The one unit at Pickering is out, but the news becomes more favourable from Pickering and we hope to have it restored in the reasonable future. Just how soon, nobody knows as yet.

Mr. T. P. Reid (Rainy River): Supplementary, Mr. Speaker.

Mr. E. R. Good (Waterloo North): Supplementary, Mr. Speaker.

Mr. Speaker: The hon. member for Rainy River.

Mr. Reid: Tweedle-dee or Tweedle-dum? In view of the fact that we are going to be importing, or there is a good possibility of importing, power from the United States at a higher cost than we can produce it in Ontario, does the minister not feel that some certain steps should be taken by Ontario Hydro in this regard—for instance, the conservation of energy?

Hon. Mr. McKeough: Mr. Speaker, I think with Nanticoke restored to three-quarters of its power, hopefully by next Monday, I doubt very much that we will be importing power. But that doesn't, of course, take away at all from the necessity of energy conservation generally and energy management in the broad sense. As I indicated, I think during second reading of the energy corporation bill, I would expect in the new year we will be giving the House the full details of the various programmes for energy conservation and wise use of energy which have been adopted and are underway, and a whole host of programmes within the Ontario government and indeed outside.

Mr. Good: Supplementary, Mr. Speaker.

Mr. F. A. Burr (Sandwich-Riverside): Supplementary.

Mr. Speaker: One more supplementary then.

Mr. Good: Yes, well, this will be a double-pronged supplementary. Has the investigation of the—

Mr. Speaker: We'll have two more perhaps.

Mr. Good: —fire at Nanticoke shown that it was accidental, or has there been any negligence assigned regarding that? Has the investigation of the breakdown of the Pickering plant power supply shown whether it was due to engineering faults or malfunction or material fault in the construction?

Hon. Mr. McKeough: No, there certainly has been no negligence in either case. I think

in both instances, broadly speaking, they are engineering problems or technological problems. With respect to Nanticoke in particular, who is ultimately at fault, of course, is something which the makers and the insurance companies, I imagine, are going to be arguing about for some time into the future. In both cases, I think it can be fairly said they are engineering problems rather than anything more serious than that.

Mr. Speaker: The member for Sandwich-Riverside, the final supplementary.

Mr. Burr: A supplementary. I wonder if the minister was mistaken when he said just a few minutes ago that the loss is $3,000 a day?

Hon. Mr. McKeough: An hour.

Mr. Lewis: He said "a day." I wondered about that.

Mr. Burr: An hour. Thank you.

Mr. Speaker: Has the leader of the Opposition further questions?

FUTURE OF METRO CENTRE

Mr. R. F. Nixon: I'd like to put a question to the Premier pertaining to the report that he is negotiating with some of the federal ministers or officials for a resumption of the Metro Centre programme, particularly the aspect having to do with transportation.

Is he prepared to give us a further report on that? Is he also as concerned about the rental housing aspect of Metro Centre which, if the president of CNR is correct and is allowed to impose his views, is going to be in abeyance for some time to come, particularly in view of the fact that, according to the recent public accounts available as of March 31, 1974, we underspent a rental housing provincial allocation by about $20 million?

Would the Premier then report to the House on the basis of Metro Centre with the prospect of our going forward provincially at least with some aspect of a housing programme in that area, together with the transportation centre?

Hon. W. G. Davis (Premier): Mr. Speaker, I haven't seen any press report that indicates that I am discussing Metro Centre with any federal ministers.

Mr. R. F. Nixon: I may have that incorrect, but perhaps it would be of some assistance if we can have an answer. There was an indication that he, as the Premier, was concerned about its delay.

Hon. Mr. Davis: I think what was said perhaps three weeks ago now, was that in response to a question I said in general terms the government would like to see Metro Centre go ahead. I think I also made it clear I wasn't expressing a point of view as to the total content of the development in terms of the density or the amount of residential or commercial or cultural involvement.

I think I made it abundantly clear that the province was not getting involved in what might be an internal discussion about the preservation of a part of or all of the Union Station. I think I hopefully made that clear. I did point out that we had, as far as the government and the Ministry of Transportation and Communications were concerned, quite obviously an interest in the planning and development of the transportation part of Metro Centre.

I think I also indicated I had had a conversation with the mayor of the city of Toronto to indicate that the province recognized that not only would it have an involvement, hopefully, in the planning of it, but that we recognized that, along with the railways and the federal government and Metro and whoever else is involved, we probably would have some financial participation. I have not, Mr. Speaker, had any conversations other than with the mayor of Toronto, nor was there any conversation by myself with the heads of the railways; and I, too, observed their observations last Thursday or Friday.

I think, Mr. Speaker, that it's something Metro council and the city of Toronto probably will wish to start dealing with early in the new year—I am only guessing at this—now that the new councils have been elected. Certainly from our standpoint, we are quite prepared to discuss with either council or the railways or whatever, the question of the transportation centre.

As it relates to the desirability of having housing of one kind or another, whether it be rental or some other form of accommodation, I thing that's a matter, Mr. Speaker, that should be raised with the Minister of Housing (Mr. Irvine)—although I think it's premature to do so at this moment until we see what is happening. I can only, once again, restate my general thought, Mr. Speaker, and that is that in some form or other the government has been in support of that particular development.

I want to make it abundantly clear we are not saying anything in terms of densities or the mix or just how it's structured. That is something I think is obviously the responsibility of the city and metropolitan council to the extent that they have some involvement in it.

Mr. Speaker: The member for Scarborough West with a supplementary.

Mr. Lewis: Yes, the Premier's interest in the transportation centre raises, for many, serious anxieties, which is the question I want to ask, about whether or not his government is then supporting the opposition which Mr. McNab, head of the transportation authority, put to the city council not so many weeks ago about the transportation centre; which opposition assumed the destruction of Union Station, which obviously is the central debating point. Has the government then taken a position which supports the end of Union Station; something, obviously, that many council members, of Metro and Toronto, simply don't want and don't see the need for.

Hon. Mr. Davis: Well Mr. Speaker, I don't know what Mr. McNab raised with the city of Toronto or with Metro council or with whomever he was speaking. Obviously the authority with which Mr. McNab is involved has a very real interest in the transportation centre. Certainly as a matter of government policy we have never explored, as a government, whether a transportation centre can be developed with or without the main part of Union Station remaining or not remaining. As a totally unqualified person, non-engineer, non-planner, non-designer, I would think, really, you can do it either way.

Mr. Lewis: Well, some have strong feelings on it.

Hon. Mr. Davis: As I say, that's just an observation. I haven't seen any documentation that says, from the ministry's standpoint or the government's standpoint, that Union Station has to go. I don't think that exists. I don't think there has ever been any policy of that kind considered.

Mr. Lewis: That is how the authority feels.

Hon. Mr. Davis: In fact I recall now, it comes back to me, where I made my general observations. I think it was four weeks ago last Sunday at 6:30 on CFRB at which time I did observe that as a government we did not want to get into the discussion, because we didn't think it was a matter that should involve the provincial government, that something had to be settled by the city of Toronto, and perhaps Metro, as it related to Union Station.

Mr. Speaker: Any further questions from the Leader of the Opposition?

STORE HOURS

Mr. R. F. Nixon: I would like to put a question to the Solicitor General, in the absence of the Attorney General (Mr. Welch): Is any action contemplated against the growing number of major retail outlets that are staying open on Sunday and have specific plans, evidently, to test the legislation in this regard? I refer specifically to the Canadian Tire Corp. store at Yonge and Davenport, which is opening Sundays between Nov. 17 and Dec. 22; and Consumers Distributing, which is open in Scarborough and evidently plans to open and is open in a number of major cities. I would also like to know when the minister is going to bring in his long-promised legislation about store hours, which would probably mean a disposition of this problem, which has been a very awkward one now for more than two or three years?

Hon. G. A. Kerr (Solicitor General): Mr. Speaker, as the hon. member knows, any prosecutions that take place now would be under the Lord's Day (Ontario) Act. This can be done locally; it requires the consent of the Attorney General. One of the reasons local authorities have been reluctant to lay charges is because of the small amount of the fine. The maximum fine, I believe, is something under $100.

Mr. D. C. MacDonald (York South): It's $25.

Hon. Mr. Kerr: As far as the second part of the hon. member's question is concerned, it is my understanding that there will be a statement during this session by the Provincial Secretary for Justice in relation to Sunday closings and uniform store hours generally.

Mr. R. F. Nixon: A supplementary: The minister really has said what is generally understood, that the law is actually breaking down because the $25 fine associated with it is a very small licence to pay to stay open for the lucrative Sunday market. But does the Solicitor General not feel he has a special responsibility, since it is the law and it is being broken in many major centres, and lots of smaller ones as well, and does he still stand on the statement made by one of his

predecessors that it is for individual citizens to complain and not for the government, particularly the police forces, to enforce the law as it presently is, especially in view of the long wait for an amendment or a new law which would bring it up to modern requirements?

Hon. Mr. Kerr: Yes, Mr. Speaker, there is no doubt that the law should be changed.

Mr. Deans: Who would the minister suggest ought to change it?

Hon. Mr. Kerr: As far as laying complaints is concerned, I don't think it's necessary for individuals to lay complaints. Certainly the police have a duty in various parts of the province from time to time, where there isn't a bylaw in effect in respect to Sunday selling, to prosecute stores that are open, particularly large chain stores that are open on Sunday. As I say, the problem now is that under the Lord's Day (Ontario) Act the police have to get the consent of the Attorney General, which is a rather ridiculous procedure and why we need a change.

Mr. Lewis: A supplementary, Mr. Speaker: Instead of the maintenance of the law as an ass, using virtually the minister's description of it in its present terms, and since the minister has wandered around Ontario hearing all of the public submissions which followed his green paper, which followed the intention to change legislation, what is he personally recommending, to his colleagues and to the Legislature, be done?

Mr. J. E. Stokes (Thunder Bay): Didn't the minister lead the donkey?

Hon. Mr. Kerr: Mr. Speaker, as I say, the Provincial Secretary for Justice—

Mr. Lewis: What is the minister recommending? He heard it all.

Hon. Mr. Kerr: —will be making a statement. The position of this government will be known at that time.

Mr. R. F. Nixon: After the Christmas season.

Hon. Mr. Kerr: Certainly any influence or input I have regarding that statement will be reflected in whatever decision is made.

Mr. Speaker: The final supplementary. The hon. member for Downsview.

Mr. V. M. Singer (Downsview): A supplementary, Mr. Speaker: Has the Solicitor General considered the advisability of applying to the court for a mandatory order or an injunction restraining the law-breakers from breaking the law? If the fine is not enough and the minister is unready to change the amount of the fine that is in the provincial statute, why can't he ask the Supreme Court of Ontario for some sort of mandatory order forcing the closing, and in breach of which the people would be in contempt and could be dealt with much more seriously?

Mr. Breithaupt: The court could do that while we're waiting for the Dow suit.

Hon. Mr. Kerr: The trouble with that, Mr. Speaker, is you would have to make an individual application for each breach of the Lord's Day (Ontario) Act.

Mr. Singer: What's wrong with that? You have to make an individual prosecution.

Hon. Mr. Kerr: In other words, if one store opened in Sarnia, for example—

Mr. MacDonald: The administration of the law is an ass as well as the law is an ass.

Hon. Mr. Kerr: —you would have to get an order in respect to that store. You'd be chasing all around the province, in court every day, dealing with individual stores unless they were a chain store of some kind.

Mr. Lewis: The minister has already chased all around the province.

Hon. Mr. Kerr: I think the best answer is that the sooner we do something about a new law, the better.

Mr. Lewis: The minister was the person who heard it all.

Interjections by hon. members.

Mr. Speaker: No, the final supplementary was asked a moment ago.

Interjections by hon. members.

Mr. Speaker: I indicated the hon. member for Downsview had asked the final supplementary. A new question?

Mr. R. F. Nixon: I can put another question on a similar subject, if you'll permit, Mr. Speaker. Isn't the minister aware that with the shopping pressures and the tremendous competition that the distributors and the retailers now are facing, that there is a tremendous movement toward Sunday shopping and that by the time a new law comes in, the whole attitude and habits of the

community may very well have changed? We're not here to debate whether that should be changed at this time or not, but wouldn't the minister agree that the lack of policy is going to give him a great deal of difficulty in bringing in any government position that would want to maintain a closed Sunday? If in fact the government wants an open Sunday, what the minister is doing is leading directly to it.

Hon. Mr. Kerr: Mr. Speaker, there isn't really a great deal of flouting of the law at the present time.

Mr. R. F. Nixon: Yes, there is.

Hon. Mr. Kerr: There are individual cases where chain stores and large groceterias are opening up; there is no doubt about that. I agree with the hon. member that if there is any undue delay in doing something about that—

Mr. Lewis: Undue delay! It has been three years.

Hon. Mr. Kerr: —there would be a change in the general attitude regarding Sunday and the operation of stores on Sunday.

Mr. Renwick: He takes an entirely different attitude to trade unions.

Hon. Mr. Kerr: So I think with the undertaking that something will be done at this session, the hon. member's fears are really unfounded.

Mr. Singer: Is the minister going to have another green paper?

Hon. Mr. Kerr: No.

Mr. Speaker: Any further questions? The member for Scarborough West with his questions?

FEDERAL BANKRUPTCY STUDY

Mr. Lewis: I have a question of the Minister of Labour, if I may. I am given to understand that the minister has received from the federal Ministry of Labour an analysis of measures which might be undertaken to protect workers in bankruptcy situations—a full study. Is it possible for the minister to table that study for the Legislature and the workers involved?

Mr. Stokes: The minister's colleague from Kenora would be happy to see it.

Hon. J. P. MacBeth (Minister of Labour): Mr. Speaker, from time to time the member for Scarborough West asks me questions which he knows about—at least he knows I have material and it generally turns out that he is right. I haven't seen that analysis yet but I will certainly get it.

An hon. member: Spies, spies all over.

Mr. Stokes: Always happy to keep the minister abreast of what is going on in labour.

Mr. R. F. Nixon: The minister's deputy tells the member for Scarborough West about it before he tells the minister.

Hon. Mr. MacBeth: I have had certain correspondence with the federal government in connection with this matter, but I haven't seen any analysis of any detail that I think the member is referring to. I will get at it and see if the federal government has sent it on to us. I doubt if it has been sent in any kind of confidence and I don't see why it couldn't be tabled, Mr. Speaker.

Mr. Lewis: Well, thanks. I will send the minister the correspondence which refers to it.

May I ask, by way of supplementary, do I gather properly that the minister has had an increasing number of examples of these bankruptcy situations, a number of submissions—several sent to him from Star Alert in Windsor and around the province generally? When is the minister going to take some initiative to change the legislation or to enforce at least the upholding of the Bank Act as it affects provincial employees so that we aren't constantly finding ourselves in these invidious and very disadvantageous positions for the workers involved?

Hon. Mr. MacBeth: Mr. Speaker, there is no question that with the increased numbers of businesses that are having financial difficulties and in fact going under these days, I am getting many more of these across my desk than when I was appointed minister some few months ago. I still feel—and we are getting co-operation from the federal government—that it is the proper place for them to act and our efforts are directed in that way, that the federal government will take action. This review that the member says I have may be a further step to indicate that the federal government is about to act. I haven't seen it; I hope that's what it will show me.

TIMISKAMING TEACHERS' DISPUTE

Mr. Lewis: A question of the Minister of Education if I may, Mr. Speaker: Has his ministry intervened in the breakdown in negotiations of the Timiskaming school board with the teachers walking off their jobs?

Hon. T. L. Wells (Minister of Education): Yes, Mr. Speaker, we have been in touch with both sides and we are at present in the process of seeing if we can arrange a meeting to get both sides together; and, if they wish, to meet with myself, if that will be of assistance.

Mr. Lewis: By way of supplementary, how is it in a bargaining situation as sensitive as this that the teachers were forced to walk out because the board wouldn't meet with them at all? Are these things not more closely monitored by the ministry? Does the minister not try to intervene in advance of the breakdown?

Hon. Mr. Wells: Mr. Speaker, I would regret this kind of thing ever coming to pass because I can't imagine how sides can refuse to meet one another. But on the other hand, having been involved in these disputes over the past two years, I also can understand how it happens, and I can tell the hon. member it is almost impossible for us to prevent it from happening at times.

We have been urging the Timiskaming board and the teachers to have a mediator there. As I understand it at least one of the parties—I think the board—has been very negative to the idea of a mediator. I think a mediator can help in any situation, and particularly in these situations, even though people get to the point where they think there is absolutely no use in having a mediator.

I think he could have been of help in Timiskaming and probably could have prevented this breakdown, but it is pretty hard for us to be able to stop people from not coming to the table to bargain. If I could, I think we wouldn't have some of the disputes that we have in the province today.

Mr. Lewis: Okay, may I pick the minister up on it by way of a supplementary, because he raised an interesting point?

Isn't it time, given the number of breakdowns in teacher negotiations, given the civil service dispute that now exists, given the disputes we had with teachers and transit workers in the past, given in fact the Big Brothers dispute in the public sector in the last several weeks; isn't it time we moved this public sector bargaining out of the ambit of the industrial sector orientation of the Ministry of Labour and developed within his ministry, and perhaps the Ministry of Health where the hospital workers are concerned, a more sensitive response to the difficulties which occur in the public sector, to the differences which obtain at the bargaining table when the public is involved? Can the minister consider carving out some areas, in conjunction with his comrades, to deal with it this way, since the Ministry of Labour never deals with it effectively?

Hon. Mr. Wells: Mr. Speaker, as my friend may know about a year ago in this House I introduced a bill—which has never been reintroduced—dealing with teachers-school board bargaining and which wasn't, I might says, universally accepted, in fact far from it, by anyone. In that bill was a body known as the Educational Relations Commission which I still have hopes can be developed to the point where it can do the kind of things in the educational field that the hon. member is talking about. We're still looking and investigating in a much fuller way how this can be brought about.

I must say I haven't come to the complete resolution of that fact yet, but we're still looking at it. I think that's the kind of mechanism we've got to find for these public service disputes.

FATHER-LED FAMILIES

Mr. Lewis: May I ask a question of the Minister of Community and Social Services? Am I to understand that Harold Currie, the noted case of the dependent single-parent family, father-led, is now being supported by a general welfare allowance and that the minister has not yet resolved whether or not he is entitled to a family benefits allowance that would be given to a single-parent family, mother-led?

Hon. R. Brunelle (Minister of Community and Social Services): Mr. Speaker, in this particular case, for the month of December he is being supported by the local Simcoe social services administration. However, it is our intention to pass an order in council to provide him with assistance under the Family Benefits Act so that he may continue to look after his children.

Mr. Lewis: Then by way of a supplementary, if the minister is passing an order in council—I guess the first of its kind—to support Harold Currie—

Interjection by an hon. member.

Mr. Lewis: Well give me another case where a single-parent family, father-led in this situation, is finally being supported—by order in council; bravo! —under the Family Benefits Act? Is the minister therefore announcing a change in policy in this regard where he will treat men and women equally?

Hon. Mr. Brunelle: Mr. Speaker, as far as the General Welfare Act is concerned, it is our intention to amend the regulations whereby it will be possible, at the discretion of the local municipality, to provide assistance in circumstances that the local municipality deems appropriate.

With reference to the broader aspect of the question under family benefits, we have dealt with this case on its special merits. However, it's very complex; it's not a simple question, as some people understand it to be; whether family benefits should be allowed to everyone regardless of sex, this is one that requires further consideration.

Mr. Speaker: Are there any further questions?

The member for Scarborough West?

Mr. Lewis: No, I am just mulling that one over.

Mr. Speaker: The member for Downsview was up a moment ago. He may ask his question.

DOW CHEMICAL ACTION

Mr. Singer: Mr. Speaker, I have a question of the Attorney General. Is the Attorney General able to give us now his latest report on the progress of the Province of Ontario against Dow Chemical Co., recalling that he promised to talk about it to his officials a couple of weeks ago, and recalling as well that one Harold Stafford—

Mr. R. F. Nixon: Hurray.

Mr. Breithaupt: Hurray.

Mr. Singer: —seems very upset because of certain events that have taken place; and recalling as well—

Mr. R. G. Eaton (Middlesex South): Defeated Liberal.

Mr. Singer: —that his officials were quoted in the paper in the last few days as indicating he has made no progress at all since last April?

Interjections by hon. members.

Hon. R. Welch (Provincial Secretary for Justice and Attorney General): Mr. Speaker, the Attorney General did meet with counsel who had been retained with respect to that case.

The Attorney General is satisfied on the basis of that report that everything possible had been done and would continue to be done with respect to that litigation.

Interjection by an hon. member.

Mr. Stokes: Now that everybody is well muzzled.

Hon. Mr. Welch: I was just trying to think in terms of the date. There was some appointment taken out, I think this week, with respect to some cross-examination on certain affidavits that were filed with respect to a notice for particulars. The hon. member will understand that, naturally, everyone was taking full advantage of whatever the rules may be insofar as that type of civil litigation is concerned.

Mr. R. F. Nixon: Meanwhile the taxpayers pay him for the minister.

Mr. Speaker: Order please.

Mr. Reid: Is the Attorney General paying him $75 an hour?

Hon. Mr. Welch: I am quite concerned that the former federal member for—

Mr. Singer: Elgin.

Hon. Mr. Welch: —Elgin, may be somewhat concerned, but I think he has other things to be concerned about as well.

Mr. Eaton: Defeated, defeated.

Mr. Singer: Mr. Speaker, by way of supplementary, in view of the fact that the stage we've arrived at was exactly the same stage that was carefully explained to us by the Attorney General's officials—

Hon. Mr. Welch: No; we now have an appointment.

Mr. Singer: Oh yes; last April. I can read it to the Attorney General out of Hansard if he wants. What progress has the Attorney General made between last April and now? He was still asking questions about an affidavit—I think a Mr. Hilton's—which haven't been answered yet, so the defendant could get particulars in order to enable him to prepare a statement of defence.

Mr. R. F. Nixon: Put the Solicitor General back in charge.

Hon. Mr. Welch: Mr. Speaker, I think the hon. member would appreciate, because of his professional training, that these matters do take time.

Mr. Singer: Yes, yes.

Hon. Mr. Welch: The dates have now been established for the cross-examination. I've been quite satisfied, in a meeting with the counsel for the Crown, insofar as this matter is concerned that the time that has transpired has not been a waste of time. More research has been done. They are very technical, these types of pleadings, and I've every confidence that things will proceed in their regular way.

Mr. P. D. Lawlor (Lakeshore): He is too easily satisfied.

Mr. R. F. Nixon: Retain Harold Stafford.

Mr. Singer: On research.

Mr. Speaker: The hon. member for High Park.

ASBESTOS IN GREAT LAKES BASIN

Mr. M. Shulman (High Park): A question of the Minister of the Environment, Mr. Speaker: Does he have in his possession a comprehensive report on asbestos in the Great Lakes basin? And if there is such a report, does it indicate there is a health hazard involved in drinking tap water in this city? And if there is such a report, why hasn't he released it?

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I don't know what report the member is talking about. As far as asbestos in the Great Lakes is concerned, our filtration plants will remove all asbestos—if there is any—to make the water very safe for drinking.

Mr. Shulman: A supplementary, if I may Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. Shulman: What is the level in Toronto drinking water after filtration? Is it at a safe level, would the minister say?

Hon. W. Newman: According to my experts, it is at a safe level. I can't give the actual readings, but I will be glad to give them if the member wants them.

Mr. Speaker: The hon. Minister of Housing has an answer to a question.

Mr. J. F. Foulds (Port Arthur): Supplementary.

Mr. Speaker: I said that was the last supplementary; the time is just about up.

Mr. Shulman: Only one—it is a very important matter Mr. Speaker.

Mr. Speaker: It seems to me the same matter was discussed last week too.

Mr. Lewis: No it wasn't.

Mr. Foulds: It was raised over six weeks ago, Mr. Speaker.

Mr. Speaker: The hon. Minister of Housing.

VILLAGE SQUARE

Hon. D. R. Irvine (Minister of Housing): On Dec. 9, the hon. member for Rainy River asked the following question:

> Mr. Speaker, I wonder if I could redirect my question to the Minister of Housing, who I understand has the responsibility under the Public Works Creditors Payment Act, and ask him if he is aware of the Village Square situation and if these people will, in fact, receive reimbursement; and if so, to whom should they write?

OHC was one of several organizations which had a contract with Village Square Ltd. Our contract was for them to deliver 50 prefabricated, detached housing units. They've all been delivered to various sites in northern Ontario. Our field staff have taken over completion of the units as a result of the financial difficulties which the firm is in.

With regard to the wages owed to the employees, OHC can do little to assist in that direction in one aspect of it. By that, I mean the prefabricated units supplied by Village Square are considered a sale of goods. As such, the corporation has no authority under the Public Works Creditors Payment Act to pay wages involved in the manufacture or delivery of these units. The erection of the units, however, is considered as a contract for work and service. As such the corporation can, under the Public Works Creditors Payment Act, pay wages to tradesmen involved in the on-site work.

Claims under the Public Works Creditors Payment Act must be made within 90 days of work stoppage. To date we have 15 claims registered.

The staff of the Ministry of Labour has advised us they are proceeding with the normal

audit and are working with the receiver to determine what funds are available for payment of vacation pay of all employees. The wages in this case are ranked with other unsecured creditors. However, the receiver has committed himself to guarantee the payment of current wages of the employees, up to and including the end of the work day of Tuesday, Nov. 19, 1974.

Mr. Reid: I have a supplementary, if I may, Mr. Speaker, just for clarification. Will the people who provided goods and services, either gas and oil or room and board to the employees of Village Square, be entitled to reimbursement under the Act that the minister has just quoted, or will it be strictly for wages?

Hon. Mr. Irvine: It will be strictly as to wages, as I understand it, Mr. Speaker. The point was brought up by the hon. member before. My information is, as I have stated, that it is wages only.

Mr. Reid: Supplementary, if I may; very short Mr. Speaker: Does the minister have any advice for those people who are in the position of having provided goods and services to the company as to what line should they follow?

Hon. Mr. Irvine: Mr. Speaker, I believe they would follow the procedure under the Act, as I mentioned, in the same way as any other unsecured creditors.

I have other answers, Mr. Speaker, if I could get them out, to the other questions.

Mr. Speaker: The hon. member for Carleton East.

SEAFARERS' INTERNATIONAL UNION

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. Could the Solicitor General report to us as to how he is doing with respect to getting the appropriate permission to table the letters with respect to an inquiry of the SIU activities?

Hon. Mr. Kerr: I am tabling those today, Mr. Speaker.

Mr. Speaker: The hon. member for Sandwich-Riverside.

ASBESTOS IN GREAT LAKES BASIN

Mr. Burr: Mr. Speaker, I have a question of the Minister of the Environment. When will the minister send me the answers promised during his estimates on Oct. 24, recorded in Hansard on page S-1890, concerning the cause of such a high asbestos content in the Detroit River, from which Windsor gets its drinking water. And at the same time, will he respond to the question whether the distilling of asbestos-filled water or asbestos-containing water actually gets rid of all the asbestos?

Hon. W. Newman: Mr. Speaker, a lot of the questions arising from the estimates have been answered. We'll have them all out before the Christmas recess.

Mr. Burr: Supplementary: Is the minister aware that only 90 per cent of the large fibres are filtered out of the water and that it is the 10 per cent that remains, the smaller fibres, that are the greater hazard in the opinion of many authorities?

Hon. W. Newman: I am aware that it doesn't all come out; but I am also aware of the fact that my technical people tell me that water is absolutely safe for drinking.

Mr. Shulman: Is it?

Mr. Speaker: The Minister of Housing has another answer to a question previously asked I believe.

Mr. Lewis: Does the minister understand the asbestos link in damage to health? It is hardly inconclusive.

H.O.M.E. PROGRAMME LOTTERIES

Hon. Mr. Irvine: Mr. Speaker, on Dec. 9, the member for Wentworth asked the following question:

> Mr. Speaker, I have a question of the Minister of Housing: Given the wide-ranging comments and suggestions made by a number of people who were involved in the recently conducted HOME lottery, and given the time that's elapsed between that and this date; can the minister indicate whether, before the next lottery is held in the Hamilton area, there will be substantial changes to the method of conducting the lottery and to the terms of the lottery as it might be conducted then for the number of homes available?

Mr. Speaker, we have given considerable thought to the lottery system of allocating leased lots under the Home Ownership Made Easy plan. I do not feel, at this time, we should hold up further allocations under this particular programme while we determine

a better method. For that reason, we will be using the present procedures in our next Hamilton offering early in the new year.

However, I am quite prepared to have a study done of these procedures, and I am having a report prepared which can be discussed at the appropriate standing committee of the House as soon as it is ready. This will allow not only the member for Wentworth but any other interested member to make suggestions in order to ensure that we have the best method possible.

Mr. Deans: Supplementary question.

Mr. Speaker: One supplementary.

Mr. Deans: Is it the intention of the minister to make any changes to the rules and regulations governing; one, whether people should be permitted to enter the lottery if they already own homes; and, two, whether there will be changes to the way in which the builders approach the individuals with regard to the allocation of the properties in order to ensure they are given a choice in conjunction with the number they have drawn? Will the minister take a serious look at the builders involved in an effort to come to grips with some of the deficiencies and defects which have resulted from previous allocations?

Hon. Mr. Irvine: Mr. Speaker, this matter has been brought before the House by the member before. I have, as I mentioned, taken a very careful look at it. I do believe we have to have a further study undertaken by our ministry, which I have said we'll do. I do think it's quite proper to have a standing committee before the House discusses this lottery in detail.

I cannot undertake at this time to make any change whatsoever, though, in the present system, because I don't see that we have a way of improving it at the present time. It may be there is, and certainly I'd be quite agreeable to going into it further after we have discussed it.

Mr. Speaker: The member for Rainy River.

STUDY OF VINYL CHLORIDE

Mr. Reid: Thank you, Mr. Speaker. I have a question of the Minister of Labour. Can he tell us what action his ministry is taking, particularly the industrial safety branch, in regard to the problem of vinyl chlorides, since he now has a report from the Minister of Health (Mr. Miller)?

Hon. Mr. MacBeth: Mr. Speaker, my ministry deals with some 1,800 toxic substances. The reports of the various effects of these come to us from the Ministry of Health and we simply carry out the recommendations the Ministry of Health makes to us. As I say, that is the procedure we follow on all of them. If they have any recommendations to make we receive those recommendations and then the ministry's inspectors carry them out.

Mr. Reid: Supplementary: Is the minister satisfied that in fact his people are assiduously carrying out the recommendations; and in fact are carrying out the investigations in those plants that use this substance?

Hon. Mr. MacBeth: To the limit of our resources, yes, I am satisfied. But again, if the member has information on any plant where he thinks we are failing or more stringent methods or measures should be taken, I would be pleased to receive that information and give it to my officials.

Mr. Speaker: The member for Port Arthur.

CO-EDUCATIONAL TRAINING SCHOOL IN THUNDER BAY

Mr. Foulds: Thank you, Mr. Speaker. A question of the Minister of Correctional Services: Has the ministry decided to cancel the juvenile co-educational training school that was announced for Thunder Bay in April of 1972; when did that cancellation take place and can he tell me what alternative services his ministry is planning in the area?

Hon. R. T. Potter (Minister of Correctional Services): I'll have to take that as notice, Mr. Speaker.

Mr. Speaker: The member for Windsor-Walkerville.

MERCURY POLLUTION

Mr. B. Newman (Windsor-Walkerville): Mr. Speaker, I have a question of the Minister of Natural Resources. The question concerns Lake St. Clair.

Has the minister decided on a policy as to whether to allow commercial fishing to be resumed in Lake St. Clair, or is it his intention to leave Lake St. Clair as it is so that only sports fishing would be allowed?

Hon. L. Bernier (Minister of Natural Resources): Mr. Speaker, as the member I am sure is aware, we have done some very extensive testing for mercury levels in the

various species of fish from Lake St. Clair. It is my understanding that the total testing has not been completed as yet. However, there are indications the level of mercury is down considerably.

I think it is fair to say that we have met with the commercial fishing industry to discuss possible ways and means by which we could bring a portion of the commercial fishing industry back to Lake St. Clair. These discussions are going on. There has been no firm decision reached as yet. As we go down the road, with further information, we will make a decision, which I hope will be within the next several weeks.

Mr. B. Newman: Supplementary, Mr. Speaker.

Mr. Speaker: One supplementary.

Mr. B. Newman: May I ask the minister if he has received a firm recommendation from his officials to permit commercial fishing to resume in Lake St. Clair?

Hon. Mr. Bernier: No, I have not received any firm recommendations. The recommendations I received were that we should explore with the commercial fishermen and people in the general area for some consensus as to what direction we should go.

Mr. E. J. Bounsall (Windsor West): Supplementary, Mr. Speaker.

Mr. Speaker: I called the last a final supplementary.

Mr. Bounsall: This is a supplementary of the minister.

Mr. Speaker: Order, please. You may place a new question.

Mr. Bounsall: Okay. A new question then, Mr. Speaker, of the Minister of Natural Resources.

In his replies to me with respect to the commercial fishing on Lake St. Clair or its possible resumption, he has mentioned a market for the coarse fish. Is this a market for the sale of those fish in countries or other places that value those fish more than in Ontario; or is it for the cat and dog food market? In any event, would those sales occur with the present levels of mercury still at the higher level?

Hon. Mr. Bernier: Mr. Speaker, I think it is fair to say we are looking at all those possibilities, including the exporting of fish to a country that may accept coarse fish with the higher level of mercury. We are also examining the possibility of going into the cat and dog food market at the present levels, which in some instances, of course, are higher than the acceptable levels for humans.

Mr. Speaker: Does the member for Scarborough West have a supplementary?

Mr. Lewis: Well, it it is possible. Whatever the minister does, I understand that the hook-line fishermen will not be reinstated in Lake St. Clair; that now is pretty clear. What form of compensation is the minister going to work out for those fishermen who are excluded from whatever policy decision the minister makes?

Hon. Mr. Bernier: Mr. Speaker, I don't know what the member means when he speaks about a hook-line fisherman.

Mr. Lewis: Well, the distinction between nets and hooks.

Hon. Mr. Bernier: Does the member mean the angler?

Mr. Lewis: Yes.

Hon. Mr. Bernier: Oh, angling is allowed in Lake St. Clair. There has been no—

Mr. Lewis: No, no, not the sports fishing. I mean those who fished for commercial purposes, of whom there were eight or 10 families, and who will be cut out regardless of what the government does. How do we compensate those people for undermining their economic livelihood in effect, admitting that the rules were right?

Hon. Mr. Bernier: Mr. Speaker, until firm decisions are made with regard to fishing in Lake St. Clair, it is obvious we can't make a decision on that particular point.

Mr. Speaker: The oral question period has expired.

Mr. Deans: On a point of order, Mr. Speaker, I wonder if I could ask you to consider something. If a question is asked and there are to be supplementary questions permitted, would you consider allowing a supplementary question from each party rather than simply one supplementary question?

Mr. Speaker: I think that would be reasonable. We were just about out of time and there were other people who wanted to ask new questions. We try to use a bit of judgement as to which is the most efficient way to carry on, but I think that is reasonable.

Petitions.

Presenting reports.

Hon. Mr. Kerr: Mr. Speaker, as I indicated earlier, I am now tabling the exchange of letters between my deputy minister and the Deputy Minister of Justice in Ottawa regarding the Seafarers' International Union

Mr. Speaker: Motions.

Introduction of bills.

Orders of the day.

COUNTY OF OXFORD ACT

Hon. Mr. White moves second reading of Bill 174, An Act to amend the County of Oxford Act, 1974.

Mr. Speaker: The member for Waterloo North.

Mr. E. R. Good (Waterloo North): Mr. Speaker, the most important amendments in this bill are similar to those in the regional municipality amendments, with the exception of one, which I will speak about a little later.

As in the other amendments to the other regional government bills, the county can now become a member of any Ontario municipal association and can send its employees wherever it wishes to improve their skills and services and pay for the cost. The county is given more latitude in the rates that it may charge for various classes and types of disposal in its waste disposal site.

The one matter in this bill to which I would like to make particular reference is that sections 74 and 75 of the existing County of Oxford Act are being repealed. Mr. Speaker, section 74 was the section to which I objected quite strenuously when it was inserted into the original bill. It states: "At the request of the county council or on his own initiative, the minister may, notwithstanding the previous sections—

Mr. Speaker: Order, please. There is a very great amount of background conversation going on and I am sure we all wish to hear the hon. member's remarks, particularly the minister.

Mr. Good: Thank you, Mr. Speaker. I would like to make reference to the section of this bill which repeals sections 74 and 75 of the original bill. I had objected strenuously to the inclusion of section 74 in the original bill which reads as follows:

> At the request of the county council, or on his own initiative, the minister may, notwithstanding [the sections going before it] establish a police force for the whole or part of the county in such manner as he determines.

Mr. Speaker, I feel strongly that the people of the region, or the county in this case, should have complete authority as to when if ever they wish to have a regional police force.

My own feeling, and it's a personal feeling, is that a regional police force leaves something to be desired in that smaller units of policing do have a different effect on the whole image of police enforcement within a region. So I'm glad to see that section 74 and 75 are being deleted by these amendments.

Mr. F. Young (Yorkview): Mr. Speaker, I think when Bill 164 was being debated I made remarks which I felt at that time applied to these other bills, and as far as we are concerned we are in agreement with Bill 174 and will support it.

Hon. J. White (Treasurer and Minister of Intergrovernmental Affairs): Mr. Speaker, the suggestion has come to me just today that there might be a further section added dealing with the number and composition of the conservation authority. So, with the permission of the House I will refer this bill to committee of the whole House. We're looking into that possibility.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading on committee of the whole House? Committee of the whole.

Agreed to.

DISTRICT MUNICIPALITY OF MUSKOKA ACT

Hon. Mr. White moves second reading of Bill 175, An Act to amend the District Municipality of Muskoka Act.

Mr. Speaker: The hon. member for Kitchener.

Mr. J. R. Breithaupt (Kitchener): Mr. Speaker, the only point I think that need concern us in this particular bill is that the district municipality is made a regional municipality for the purposes of the Regional Municipal Grants Act. There are certain powers and duties that that municipality will now have as a result of this. Since it has become a regional municipality it will have all the benefits and whatever the burdens are that the others within the province have.

The other points in the bill dealing with sewage works and other particular matters are things which appear to us to be routine.

Mr. Young: Mr. Speaker, again I would simply say, as far as this group is concerned the bill is satisfactory. It's housekeeping, and bringing into effect certain policies with which we agree, and we support this bill.

Mr. Good: One point I would like to ask. I asked it on the bill dealing with the amendments to the other 10 regional municipalities. I would like a clarification of why permission is now being given for the OMB to hear applications regarding the financing of sewer and water works before the method of repayment has been established.

I always thought that when an agreement on installation of service was made between the Ministry of the Environment and the municipality, the whole package was done up as to how it was going to be financed: how much out of frontage charges: how much out of usage charges; how much out of connection charges; how much on the general tax rate; and how much by grants by the government. Here is a point which I don't understand and I'd like clarification.

Hon. Mr. White: On a point of order, Mr. Speaker, this is going to the committee of the whole House.

Mr. Good: Pardon?

Hon. Mr. White: The Regional Municipalities Act is going into the committee of the whole House, so I can deal with that and other questions that were put to me. There is a reason, but it doesn't affect this bill.

Mr. Good: Well, it's in the Muskoka bill as well, Mr. Speaker.

Hon. Mr. White: Could we deal with this in the regional municipalities bill, which is going to committee of the whole House, for this and several other reasons?

Mr. Good: If the minister could get the answer to my question by then, that's fine.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall the bill be ordered for third reading? Committee?

Mr. J. F. Foulds (Port Arthur): Committee.

Mr. Breithaupt: For this one?

Mr. Young: No, third reading.

Mr. Speaker: Shall the bill be ordered for third reading?

Agreed to.

Clerk of the House: The second order, House in committee of the whole.

REGIONAL MUNICIPALITIES AMENDMENT ACT

House in committee on Bill 173, the Regional Municipalities Amendment Act, 1974.

Mr. Chairman: Any discussion or amendments on any section of this bill?

Mr. J. R. Breithaupt (Kitchener): Yes, the minister has an amendment, does he not?

Mr. Chairman: Four amendments.

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Yes, these relate to section 27, section 28, section 34(a) and section 56.

Mr. Chairman: Anything before section 27?

Sections 1 to 26, inclusive, agreed to.

On section 27:

Hon. Mr. White moves that sub-section 2 of section 29 of the Regional Municipality of Sudbury Act, 1972, as set out in section 27 of the bill, be amended by striking out "of the construction, operation, maintenance" in the second line, and that amendments to the same effect be made to sections 35, 40, 45, 50 and 55 of the bill.

Mr. Chairman: Is there any discussion on the motion?

Mr. E. R. Good (Waterloo North): Could the minister explain what the significance of that is?

Hon. Mr. White: This motion is required simply to clarify the subsection in conjunction with the previous subsection.

Motion agreed to.

Mr. Good: Mr. Chairman, the question which I have asked the minister previously, regarding the OMB hearings—

Mr. Chairman: Is this section 27?

Mr. Good: —affects sections 27, 28, 35, 40, 45, 50 and 55. Maybe the minister could get an explanation of that in Hansard any time he wishes.

Hon. Mr. White: At the present time, and in the absence of this change, there is no way that a proposal for works can be put to the OMB as a matter of principle until such time as the area municipality or area municipalities come to an actual cost apportionment with the region.

This kind of a dicker very often takes quite a lot of doing, so the proposal is that they should be able to go ahead and get an approval on proceeding with the works at the regional level and then come back and present the apportionment of costs for the OMB's further approval. This will eliminate any time delay in calling tenders and, in a period of rising costs, hopefully save the taxpayers some money.

Mr. Good: Mr. Chairman, on that point, do I understand it clearly then that when a municipality puts forth a proposal to the OMB for sewer or water works, the people would then have an opportunity to voice objections and cause an OMB hearing if they wished to object just to the proposal in principle?

When the cost apportionment has then been allocated, after the hearing, would there then be a further opportunity for persons to object and to cause another hearing relating to the cost; because it is the second matter, regarding the cost per household, which initiates OMB hearings when it comes to the installation of sewer and water works. It is not the principle; everybody is in favour of the principle, but when you find, as in one municipality in my area—where the cost is going to be $307 per household—of the 900 people in the little village, 150 voiced objections and there was an OMB hearing, there would then be two separate opportunities for people to object and cause an OMB hearing on that particular issue.

Hon. Mr. White: Yes, that is quite correct. There will be an appeal provided for each stage. It is believed by the experts in my ministry and elsewhere that separating these two stages will enable the proposal to be considered more quickly and, if agreed to, the work to proceed more quickly. As I mentioned, while costs are escalating, hopefully, it will save the taxpayers some money.

Mr. Good: It will ease the people into the idea of it.

Motion agreed to.

Section 27, as amended, agreed to.

On section 28:

Mr. Chairman: The minister has an amendment to section 28 of the bill.

Hon. Mr. White moves that subsection 2 of section 31 of the Regional Municipality of Sudbury Act, 1972, as set out in section 28 of the bill, be amended by inserting after "the", where it occurs the second time in the second line, "establishment" and that amendments to the same effect be made to sections 35, 40, 45, 50 and 55 of the bill.

Mr. Chairman: Shall the amendment carry?

Hon. Mr. White: Mr. Chairman, this motion is required simply to clarify the subsection in conjunction with the foregoing subsection.

Mr. F. Young (Yorkview): By just adding the one word "establishment"?

Mr. Chairman: Shall the amendment carry?

Mr. I. Deans (Wentworth): Mr. Chairman, if I may, I don't see how it can carry without a quorum.

Clerk of the House: Mr. Chairman, there is not a quorum to carry it at present.

Mr. Chairman ordered that the bells be rung for four minutes.

Clerk of the House: Mr. Chairman, I see a quorum.

Mr. Chairman: We are dealing with section 28 of the Regional Municipalities Amendment Act, which amends the Regional Municipality of Sudbury Act, 1972. Any comments?

Motion agreed to.

Section 28, as amended, agreed to.

Section 29 to 33, inclusive, agreed to.

On section 34:

Mr. Chairman: The minister has another amendment.

Hon. Mr. White moves that the bill be amended by adding thereto the following section:

> 34(a) Subsection 3 of section 26 of the said Act is amended by adding at the end thereof "that this provision shall not apply in the year 1974."

Mr. Chairman: Any discussion?

Hon. Mr. White: Sir, this amendment allows Peel region, in the year of 1974 only, to retain auditors who may have had a mangement consultant role with the region in 1973, when the region was being organized.

Motion agreed to.

Section 34(a) agreed to.

Mr. Chairman: Any further amendments?

On section 56:

Hon. Mr. White moves that section 56 of the bill be amended by adding thereto the following subsection:

(3) Subsection 9 of the said section 119, as re-enacted by the Statutes of Ontario, 1974, chapter 5, section 7, is repealed and the following substituted therefor: "Where any local municipality has passed a bylaw that prior to its coming into force requires the approval of any minister of the Crown, any provincial ministry, the Municipal Board or any provincial body or agency, and such approval has not been obtained prior to the 31st day of March, 1974, the council of the successor area municipality to such local municipality, or the regional council when the subject matter of the bylaw pertains to a function of the regional corporation, shall be entitled to initiate or continue the procedure to obtain such approval to the bylaw passed by the local municipality, insofar as it pertains to such area municipality or the regional corporation, and the provisions of the subsection 8 apply mutatis mutandis to any such bylaw."

Mr. Deans: I want to ask about this.

Mr. Chairman: The hon. member for Wentworth.

Hon. Mr. White: Let me just offer the explanation. All that those words simply mean—

Mr. Deans: I think I understand it.

Hon. Mr. White: —is if an application had been made to the OMB by one of the previous municipalities, the successor municipality could continue with that application instead of originating a new application.

Mr. Deans: I understand that. What I wonder about is in the case of individuals who may have applied for such a thing as a rezoning within an existing municipality, and after the changeover the municipal name, council and authority have been transferred, does that also apply equally to those individuals in the event an OMB hearing were required and applied for.

Hon. Mr. White: I am advised it does.

Mr. Deans: Right. And on the other question—I want to be clear—what the minister is saying is the municipality need not make any additional application. But it is obliged to follow through on the original decision of the old municipality? Or is it then obliged to inform all of those who may have been affected by a decision of the municipality that they have discontinued the application for any change as of a certain date? Do you follow what I am saying?

Hon. Mr. White: No, it wouldn't bind the new municipality with the decision of the old municipality. The new municipality could discontinue the application, if it wished.

Mr. Deans: Well, would the new municipality be required then to inform interested parties of its decision to discontinue any action that had been started by the old municipality prior to the transition?

Let me give you an example. It's entirely possible that a municipality may have initiated a bylaw at the behest of a number of residents. If the new municipality decided to go ahead, then that would be fine. But if it decided not to go ahead—it may have required approval, for example, from some branch of municipal affairs—if it decided for some reason or other not to proceed, those residents could be sitting there waiting for this to be approved and never knowing it. Is there any requirement on municipalities to inform any interested parties that they have taken a position different from the position originally taken at the time of the original application?

Hon. Mr. White: This section is silent on that. Briefly, the new municipality can carry on with an application made by the old municipality. If it doesn't do so, it's on the same basis as it would have been had there been no restructuring take place, which is to say on the same basis as every other municipality.

Mr. Deans: I have a second question then. Is there a requirement on the part of the new municipality to inform the approving agency or ministry that it is desirous of going ahead with the action of the old municipality or is there a requirement on its part to inform the approving agency that it doesn't wish to proceed?

Hon. Mr. White: The new municipality would have to tell the authority, the OMB or whoever, that they were proceeding with the old municipality's application or discontinuing it.

Mr. Deans: One final point then—

Mr. Good: He has completely reversed his stand.

Mr. Deans: You're not kidding. Is there any requirement then on the part of the old municipal authorities to inform the new municipality what sorts of things were outstanding?

Hon. Mr. White: We have that.

Mr. J. E. Stokes (Thunder Bay): I think you'd better go back to the drawing board.

Mr. Deans: Really, you have got a problem. There have been substantial changes in some municipalities and bylaws may well have been before approving authorities awaiting approval. There have been substantial changes both administratively and representative-wise within municipalities. I want to be sure that all of the information which ought to have been carried forward is carried forward.

How do you intend to inform municipalities of this particular change? Are you going to inform them separately, by letter under separate cover, over and above the sort of normal circularizing of the changes to the Regional Municipalities Act?

Hon. Mr. White: On the latter point, they will be informed in the same way as they are informed of all other changes, by circulating copies of the legislation when passed by the Legislature. This is the reason they all have municipal solicitors.

Dealing with a previous question, all books, papers and records must have been handed over by the old municipalities to the new municipalities. That's a requirement enacted by law.

Mr. Deans: Just one final point. I'm thinking of people who may have applied for a zoning change and who made the application in the fall of 1973, in the case of the Hamilton-Wentworth municipality, and who were turned down—but who have since applied to the Ontario Municipal Board. There is now a new municipality involved. I am thinking of one particular case, and maybe now I understand why it's December of 1974 and nothing has happened. Is it possible that because the municipality named in the original application was the old municipality, the OMB would not be in a position to proceed with it, since it is now a new municipality with new municipal laws?

Hon. Mr. White: This is entirely possible and this may be corrected by the amendment before the House. If the hon. member could give me the details, I'll check it out for him.

Mr. Deans: I will have to do it, because it now begins to clear itself up for me.

Mr. Chairman: The hon. member for Waterloo North.

Mr. Good: Mr. Chairman, this amendment as I see it in its positive side, is enabling legislation for either the new area government or the new regional government to continue the application that is still awaiting approval of a ministry, or one of the agencies of government.

But it could also be used to let an application more or less die on the order paper. If it's not pursued, and if the OMB or the agency of government decides not to approve it, this section could be used to let a bylaw completely pass out of existence by not being pursued by the new government or by the region if that particular bylaw applies to a function which the region now takes over.

I am thinking particularly of the matter of water supply and things of that nature. There now could be regional responsibilities, when formerly they were area government responsibilities. I would certainly be in agreement on this as enabling legislation for the new people to carry on. But I am somewhat concerned now that this technique could be used to completely ignore or let die applications of a former area government, some of which may be no longer in existence for that form of government. They could just let them pass out of existence and the efforts of former elected representatives would now be frustrated by the new government. I don't think that it would be proper to use it in that context.

Hon. Mr. White: Sir, this will enable new municipalities to proceed or not to proceed with previous applications. In this respest, it puts them on all fours with other municipalities. If we don't pass the enabling legislation, the new municipalities may either reapply or not apply to the provincial agency or authority as is so desired. So this in no way weakens the position of the ratepayers or residents.

Mr. Good: Mr. Chairman, all the regional government bills have said one thing: that the new regional governments or the new area governments are bound by the bylaws of the old municipality. Now you are saying they are bound by all the bylaws except those that are awaiting government or agency approval. What you are saying is that the new government can decide whether or not it wants to be bound by any bylaws which have not had government approval. This is really what this

section is saying. At the present time, and without this bylaw, all of the matters in process will not be carried forward. Instead, the new council would have to reapply to the OMB. It's to avoid that further delay and the additional paperwork and so on that the amendment is being offered.

Interjections by hon. members.

Mr. Good: Is the minister saying then, Mr. Chairman, that any bylaws in the application form would not automatically go through to approval and become mandatory for the new municipality? They would just die as they were, so to speak.

Hon. Mr. White: That's right; oh, yes.

Mr. Good: Well, in that case—

Hon. Mr. White: And as has been pointed out—I suppose it is evident to the members—this does not affect any existing bylaws.

Mr. Chairman: The hon. member for Yorkview.

Mr. Young: Mr. Chairman, I think the questions I had in my mind have likely been asked. One question that I would like to direct to the minister is, has this amendment been initiated because of certain specific incidents of which he is aware or is it simply a general policy which he foresaw might be needed here?

Hon. Mr. White: The region has asked for this so that it won't have to recommence a number of applications which were part way through the stream when the new regional government and area municipal governments came into being.

Motion agreed to.

Section 56, as amended, agreed to.

Mr. Chairman: Section 57?

Mr. M. Cassidy (Ottawa Centre): Mr. Chairman, I would like to ask the co-operation of the House to go back to an earlier part of the bill. My reasons are that this was raised with the minister late last week, I raised it with municipal officials in Ottawa and very bad driving conditions held me up by an hour and a half on my trip down from Ottawa today. Otherwise, I would have been here, as I had intended, by the beginning of question period rather than at 3:15. Could I have agreement? Thank you.

Mr. Chairman, the question I want to raise with the minister is on the amendment to section 86 of the Ottawa-Carleton Act, which would have the effect of bringing Ottawa-Carleton into line with the other regional municipalities, giving the upper tier municipality full control over day care, rather than the present mish-mash that we have in Ottawa right now. Has the minister been able to look into that?

Hon. Mr. White: I have no objection to this, and my ministry has no objection to this, but as I may have mentioned to the hon. member last week, Management Board is in the process of doing a quantitative analysis so that the consequences of such a change to the municipal governments affected and to the provincial government are known. Quite frankly, it's really unwise, almost impossible, for me to proceed with the amendment which my hon. friend is suggesting in the absence of this advice from Management Board.

Mr. Cassidy: Well, perhaps I can ask the minister to consider moving right now. Without getting into the politics of 1975 in too great detail, there is at least a possibility that we may have only a short session or short sessions in the spring, and it may not be possible to return to an amendment of this particular Act until the latter part of 1975, which is a year away from now.

As the minister is aware, the amendment which has been requested, and to which he has no objection in theory, is one which simply brings Ottawa-Carleton into line with other regional municipalities.

The problem which is created right now, because of the present structure of daycare powers in Ottawa-Carleton, is that the larger area municipalities—Ottawa, Gloucester, Nepean and so on—do provide or support daycare services, while the smaller ones don't. Problems are created, for example, when a child has his parents move from one jurisdiction to another and no longer becomes eligible for subsidies. They are very practical problems that are created.

Since most of the population of the area is now in municipalities which have agreed to ask for daycare services under the terms of the existing Act, the problem that is created now is more a matter that there are some jurisdictions that do it in a kind of haphazard way, rather than making a major financial commitment.

Hon. Mr. White: My hon. friend may be entirely right, but there is apparently some difference of opinion between Ottawa proper and some of the surrounding municipalities. I simply cannot agree to this amendment until I know more about that difference of opinion

and until I have the advice of Management Board.

It is self-evident, I think, that we are going to be back here in January, and if this matter can be agreed to by the government, because this is a government of equals, as my hon. friend knows, then I would undertake to offer such an amendment; but I have to say that this would be if the government agrees to do so. I have to get a better evaluation of the local politics of the matter and I have to have a cost analysis of the matter.

Mr. Cassidy: Well, Mr. Chairman, the minister is making a commitment, as I understand it, to make legislative time in January to do this if there is agreement from up there. Is that right?

Hon. Mr. White: Agreed.

Mr. Cassidy: Okay. I appreciate that. Perhaps I could press him a bit further on it and say that the disagreement in the regional municipality of Ottawa-Carleton was over a proposal to have a major expansion of regional municipal daycare services, and that proposal eventually was turned down.

Whether the powers are exclusively regional or whether they are shared, the power of the regional municipality either to embark or not to embark on a major expansion of daycare services is basically unchanged. I wonder whether the minister would also commit himself to making time for this amendment in order to bring Ottawa-Carleton into line with the other regional municipalities, if he finds that the disagreement over day care in Ottawa is not related to this particular question of those powers?

Hon. Mr. White: I can't commit myself to a time when I'm not able to commit myself to making the change. I said if the government finds that the costs and political attitudes in the area warrant, and if the government thereby decides to amend the bill, I'll bring it in very quickly.

Mr. Cassidy: Okay, just one final point. What will the minister's reaction be if Ottawa-Carleton says, unlike the other regional municipalities we like our system because basically our present legislation, according to what they may say, frustrates people who are trying to provide more day care in the area? Will the minister go along with that?

Hon. Mr. White: Well, sir, if I knew the answer to that one we might proceed with the amendment today. That I don't know.

Mr. Cassidy: Okay. Thank you, Mr. Chairman, and thank you to the members of the House for letting me have that time.

Mr. Chairman: Any questions on sections 57, 58, 59 or 60?

Shall the bill be reported?

Bill 173, as amended, reported.

Hon. Mr. Winkler moves that the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report one bill with certain amendments and ask for leave to sit again.

Report agreed to.

PROVINCIAL PARKS MUNICIPAL TAX ASSISTANCE ACT

Hon. Mr. White moves second reading of Bill 81, the Provincial Parks Municipal Tax Assistance Act, 1974.

Mr. Speaker: The hon. member for Waterloo North.

Mr. E. R. Good (Waterloo North): Thank you, Mr. Speaker. The bill before us today was introduced last spring, and there has been quite a lot of controversy and discussion on this particular bill. The principle of the bill is roughly that the three parks systems—the Niagara parks, the St. Clair parks and the St. Lawrence parks—are going to be included along with all other provincial parks under this particular bill, which says that the government will pay to the municipalities in which the parks are located a sum of money in lieu of taxes. The sum is based briefly, Mr. Speaker, on an amount of $5 per acre for the first 100 acres and $2 an acre for each acre in excess of 100 acres.

When we look at the statistical information regarding parks in Ontario, we find that even without the St. Lawrence parks, the Niagara parks, and the St. Clair parks, there are about 10 million acres of parks in the Province of Ontario, which would seem like a handsome sum of money. However, when we look further we find that those parks situated in unorganized territories are not included in this particular amount. Among those, of course, Mr. Speaker, would be Quetico Park, with 1.5 million acres; Polar Bear Park, with about six million acres; Lake Superior Park, with about 391,000 acres;

Algonquin Park, with almost two million acres; Winisk, half a million acres; Killarney —and dear knows how many other parks— that would be excluded from the list on which the government would pay a grant in lieu of taxes to the municipality.

Now, Mr. Speaker, I'm sorry I did not have time to look up the exact words of the former provincial Treasurer, the member for Chatham (Mr. McKeough). But it was my thought that it was always the intention of government to give larger and larger grants in lieu of taxes so that the municipalities in which public buildings or parks are located would not lose any more than is necessary from having public buildings within their borders.

We have seen where the government has made efforts to give more money to the municipalities, especially in the case of university cities, where the presence of a large university or universities, plus other public buildings, has meant that a great deal of assessment in the municipality is not tax-producing.

In my own municipality of Waterloo, Mr. Speaker, over 25 per cent of the assessment was not revenue-producing. Then the government saw fit to allow the municipalities to charge the universities so much per student— which I believe has risen from $25 to $35 per student—in lieu of taxes. I think in the case of Waterloo university this represented about 18 or 19 per cent of the moneys they would have received had these institutions been attached according to their assessment.

So I was always under the impression, Mr. Speaker, that the government was making an earnest effort to pay municipalities grants in lieu of taxes. The amount was not comparable to the amount they would get for taxes, but it was on the way up in scale and size so that municipalities would not feel it was detrimental to their tax base to have a property owned by the Crown in the right of Ontario within their municipalities.

The amendment last spring to the Parkway Belt Planning and Development Act brought this question to light at that time when government bodies in that area, along with the Niagara Escarpment and the areas affected by the parkway planning development and any other planning and development area, would be included in this particular bill, so that the amount of money paid to the municipality in lieu of taxes would be $5 an acre for the first 100 acres, plus $2 an acre for that amount over 100 acres.

At that time I brought the matter before the then parliamentary assistant to the provincial Treasurer, who is now the Minister of Housing (Mr. Irvine). The minister replied to my statements—which were similar to what I have just completed—and I will quote him from Hansard of June 27, 1974:

> **Mr. Speaker, I wonder if I might interject for a minute. I want to say to the hon. members that I wish to make an amendment to this bill and to the next one, Bill 86, in the committee of the whole House, because of the fact we are not proceeding with the Provincial Parks Municipal Tax Assistance Act. It passed first reading in this session, but we will bring it forth in the fall. I expect that at that time there will be a change in the maximum set out in the Act at the present time. I believe that is the point to which the member is speaking.**

Well, I am led to believe by the words of the now Minister of Housing that there will be an amendment to this bill upgrading the monetary considerations that will be available to the various parks. However, not knowing that until just now—and the minister did shake his head that it will be forthcoming —there are a few comments I would like to make.

First of all I want to say that of the annual reports of the three parks systems involved—Niagara, St. Lawrence and St. Clair parks—only the Niagara Parks Commission puts out an annual report that can give one any detail at all as to the financial situation in these particular parks. The member for Hastings (Mr. Rollins), who is chairman of the St. Lawrence Parks Commission, has assured me that as of this year that commission will be putting out a comprehensive financial financial statement along with its regular report. I would certainly urge the government to make these reports more comprehensive. The Niagara Parks Commission is very good and I was able to ascertain what the situation is in the Niagara Parks Commission.

The Niagara parks, presently, are made up of about 3,000 acres and they have been paying, from the information I was able to get from their reports, $54,113 in 1972 and $56,140 in 1973 in municipal grants to the municipality of Niagara Falls in lieu of taxes. If we were to go to the formula presently presented in the bill, for the first 500 acres they would get $500 and for the last 2,500 acres they would get $5,000, so the grant to the municipality would be reduced to $5,500.

I understand there is considerable discussion, and always has been, on the amount of money being paid by the Niagara Parks Commission to the local municipality. Some municipal officials have made quite an issue of this and I understand, Mr. Speaker, that if the municipality of Niagara Falls is to have its grant from the Niagara Parks Commission

reduced from $56,000 down to $5,500, as this bill would do, the situation would not be very healthy in Niagara Falls. I wouldn't be surprised if that issue alone would see the present member for Niagara Falls (Mr. Clement) probably defeated in the next provincial election.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): This, of course, does not touch those large parks commissions. Section 4 deals only with the conventional provincial park which is under the Ministry of Natural Resources.

Mr. M. Cassidy (Ottawa Centre): No, it means the Niagara parks as well.

Hon. Mr. White: It's not touched by section 4.

Mr. Good: Right, Section 1 of the explanatory note says:

> The categories of parks in respect of which a payment in lieu of taxes may be made by the province to the municipalities in which they are situate are enlarged to include those parks operated under the Niagara Parks Act, the St. Clair Parkway Commission Act and the St. Lawrence Parks Commission Act; in addition, wilderness areas and historical parks are made eligible for the payment.

What could be plainer than that? The way I read the Act is that these parks will be included. This has been a real live issue in these areas, Mr. Speaker, and I would like to hear what the provincial Treasurer has to say about this.

Hon. Mr. White: At the present time, these commissions are indeed paying property tax or grants in lieu of property tax on the structures owned by the commissions. This section doesn't impair that at all. It doesn't affect the amounts of money which have been paid to date, but what it does do now is, for the first time, it permits the government itself to make grants in lieu of taxes in addition to the payments being made by the several commssions listed.

Mr. Good: So I would then assume that there will grants made by the Niagara Parks Commission, as well as by the government, and the formula of the grant made by the government will be as set out in this bill.

The catch to this, of course, Mr. Speaker, is that St. Lawrence Parks Commission has never made any grants to the local municipalities for parks in that particular area. Even though the Niagara Parks Commission has paid $56,000, I've been given to understand that the St. Lawrence Parks Commission has never paid anything to the local municipalities and, under its new formula, which the member for Hastings was kind enough to give me, I now find that they are anticipating making a grant of about $23,390.

This brings up another point which I would like to refer to, Mr. Speaker, and that is whether or not the provincial grant will be made on an individual parks basis. For instance, under the St. Lawrence Parks Commission they have 14 different municipalities and they appear to be making their calculations on the basis that the first 100 acres in each municipality would be treated as a separate park and there would be a $500 grant, plus $2 per acre over 100 acres. I'm in agreement with this particular formula because it eliminates that inequities which result when a large acreage is taken into consideration in the municipality and all but 100 acres of that is treated at $2 an acre, which makes the grant on a large acreage very small.

This particular problem is very evident in some of the intermediate-sized parks, such as the Mono township park up near Flesherton. In that area, Mr. Speaker, the average taxes on 100 acres—and here are a few examples—are about $500. There is one 91-acre site here on the 6th concession of Tosorontio township where the taxes are $643; this is vacant land. On another 100 acres it is $543. On yet another 79 acres just south of the park, lot 1 concession 7, the taxes are $788. So it would appear that the revenue generated by these open lands before they were used for park purposes was somewhere between $500 and $700.

If the province were to pay $5 an acre straight through for all the properties that were assembled in 100-acre parcels, the municipality would come out all right. But if they are going to pay $5 per 100 acres only on the first 100 acres and $2 an acre on all the rest after they are assembled into one huge parcel, the municipality is certainly going to lose a lot of revenue from this formula.

While this formula has been in existence for some time it certainly will not do anything to help the municipalities in the loss of the revenue they had received before the space became provincial parks or which might be generated by that property had it been used for some other purpose.

For instance, in Vesper township, which contains Springwater Provincial Park, the

taxes on 100 acres in one piece of property beside the park are $322. Another 98 acres south of the park generate $428. Mr. Speaker, I think there is concern in these rural townships, especially those in southern Ontario, that they are going to see a great loss of revenue by the establishment of this policy as it applies to farms that have been assembled into one large piece of land, when the government applies the formula that they get $5 an acre only on the first 100 acres.

I think the formula should be applied to each 100 acres if the land has been assembled 100 acres at a time or 200 acres at a time. In any event, it always has been in my mind that the policy of the government was going to be to upgrade these grants in lieu of taxes to the particular municipalities.

On the St. Clair Parkway I could find no information at all. Not even the library, Mr. Speaker, has any information which gives any financial statistics on the operation of the St. Clair parks. Now I think that's a pretty sad situation and I think the parks commission should be brought to task for it.

It was only through the courtesy of the member for Hastings that I was able to get any statistical information on the financial aspects of the St. Lawrence parks. But I will say the Niagara Parks Commission puts out a good report, including the information that is required to talk about this bill.

Those are my comments, Mr. Speaker. I think the government is going to shortchange the municipalities if they adhere to the principles in this bill and I would certainly like to hear what the Treasurer has to say, especially in light of the comments made by the now Minister of Housing to me last spring.

Mr. Speaker: Does any other hon. member wish to speak to this?

Hon. Mr. White: Mr. Speaker, before anyone else speaks let me say that the undertaking given by the Minister of Housing with respect to this bill, that we are going to enrich the payments under section 4 of the bill, is perfectly correct. As he said at that time, we will be doing this by amendment in the committee of the whole House. That will add 50 cents per acre on quantities over 10,000 acres. That will greatly increase the payments to townships like Dysart from $20,000-odd to double or treble that amount.

I haven't got those figures here, Mr. Speaker, because I wasn't prepared to take it into the committee of the House, but I will have them available for you. As a matter of fact, I think it is only fair to say that the member for Victoria-Haliburton (Mr. R. G. Hodgson) was the one who drew these inequities to our attention and, as a consequence, we are prepared to make these improvements. A great member he is too—a very good member; he's not much to look at, but he's always thinking.

Mr. J. R. Breithaupt (Kitchener): Now he can't use the quotation.

Hon. Mr. White: The fact of the matter is that we will now have the authority to make payments to some number of provincial parks and commission parks in a way that wasn't the case before.

Mr. Speaker: Is the minister's presentation very long? If it is, it should be left to the appropriate time.

The hon. member for Ottawa Centre.

Mr. Cassidy: Well Mr. Speaker, I don't want to speak lengthily on the bill. I think that the previous speaker has put the points that we would have raised in general. We share the concern that the amount of money paid, even on the first 10,000 acres, could be sweetened or improved, rather than being left at the present level.

I would welcome an assurance from the minister that the fact that the lands belonging to the Niagara Parks Commission, the St. Clair Parkway Commission and the St. Lawrence Parks Commission, now are to be considered provincial parks for the purposes of this Act, will not be taken as putting a ceiling on the amount of money which those commissions now may be paying to local municipalities. If they wish to pay more, in other words, they should not be held back from so doing because of the terms of this particular bill.

In fact, going further, I suspect that an assurance would be welcome from the minister that those commissions will not pay less to the area municipalities than they now are paying—whether they pay any more or not obviously is up to them, but that they will not pay less. I think that would solve the uncertainties which are introduced by redefining the lands which are held by these various commissions and bringing them in under the new Provincial Parks Municipal Tax Assistance Act.

Apart from that, Mr. Speaker, it's a rare occasion when I can say that I do support the bill, and I support this bill.

Mr. Speaker: Does any other hon. member wish to speak to this bill?

Mr. R. G. Hodgson (Victoria-Haliburton): Mr. Speaker, I would like to say a word—

Mr. J. F. Foulds (Port Arthur): That handsome fellow from Victoria-Haliburton wants to speak.

Mr. Cassidy: He is getting some flak from that side of the House now.

Mr. J. E. Stokes (Thunder Bay): Sock it to 'em.

Mr. R. G. Hodgson: When the minister is amending the bill I would like him to seriously consider the word "municipality," because under the previous Parks Act the Provincial Auditor did not consider a municipality to mean townships; and when there was more than one township under a municipality, he did not consider that to be a different schedule. That's a very important point in view of the restructuring of counties, in which townships are going to be amalgamated to make a new municipality. There might be several townships or several portions of townships in a new municipality.

I would like the minister to seriously consider changing the word "municipality" to "township," because I think that would overcome that difficulty. Also the idea of paying 50 cents an acre over the maximum of 10,000 acres will greatly help much of the area of Ontario and will overcome many of the objections. In the case of Dysart, Mr. Speaker, I can tell the minister that the revenue would go up from $20,300 to about $58,000, which would be in line with the assessment and the taxes that would be paid normally.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. Treasurer.

Hon. Mr. White: Sir, I certainly will give the member for Ottawa Centre the assurance that the municipalities will get more and not less as a consequence of these changes. I think that's the assurance he sought.

Mr. Cassidy: No. In the case of the Niagara Parks Commission and the St. Lawrence Parks Commission certain arrangements are apparently being made now which provide far more revenue to the municipality than they would get under this particular Act. Their lands, however, are considered provincial parks for the purposes of this Act, according to the definition section. That's the concern that the member for Waterloo North and I were expressing.

Mr. Good: They aren't paid a nickel.

Mr. Breithaupt: That's right.

Hon. Mr. White: I have been assured by the Minister of Housing, who had this bill through its decision-making stages, that there will be no diminution on the part of the parks authorities as the government itself increases its payments.

Insofar as the definitional difficulty is concerned, I will indeed have a look at this before we come to the committee of the whole House. I do point out that the interpretation has been altered in the bill, and section (a) now reads:

> "Municipality" means a city, town, village, township and improvement district.

My hon. friend is suggesting that the singular in use there may be troublesome to us. I will certainly undertake to explore the possibility of heading off any difficulty in that respect. We will be amending the Act and offering an amendment to the bill in committee of the whole House and, at that time, I can deal with these other matters also, Mr. Speaker.

Motion agreed to; second reading of the bill.

Mr. Speaker: I understand this is to be referred to committee of the whole House.

THIRD READINGS

The following bills were given third reading upon motion:

Bill 175, An Act to amend the District Municipality of Muskoka Act.

Bill 173, the Regional Municipalities Amendment Act, 1974.

Mr. Foulds: There is no quorum, Mr. Speaker.

Interjections by hon. members.

ONTARIO HERITAGE ACT

Hon. Mr. Auld moves second reading of Bill 176, An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario.

Mr. Foulds: On a point of order, Mr. Speaker, there is no quorum.

Mr. R. D. Kennedy (Peel South): Yes, there is a quorum.

Clerk of the House: Mr. Speaker, I see a quorum.

Mr. Speaker: There is a quorum. The member for Kitchener wished to speak to this bill.

Mr. Breithaupt: Mr. Speaker, my remarks on the bill will be brief.

This bill has obviously been a long time in coming forward to us and we are certainly happy to see it brought before the Legislature. The responsibility that the Minister of Colleges and Universities has includes the provision and protection of various areas with respect to the heritage of Ontario and the continuation of this protection is certainly the prime goal of this bill. In the regional municipality of Waterloo we have had through the Ontario Pioneer Foundation the development of our own Pioneer Village and the development through the Waterloo Historical Society of a great interest in matters historical over the years. In fact, that society celebrated its 50th anniversary several years ago. Similarly, in many other parts of the community of Ontario we have found a greatly increasing interest in areas of our heritage. We certainly think that those groups who are interested particularly in historic matters and the preservation of heritage, should have a bill to which they can turn when there are problems that can arise very quickly as buildings are in the ordinary case threatened by development or as certain historic sites may otherwise be used for a purpose not consistent with our present view of our heritage.

There has been an increasing awareness in historic matters. I can think of none better than the work done by the Advocates' Society in Toronto to arrange for the moving and preservation of the house of the former Justice Campbell. As we see that house now restored and we recall the dedication of it and the reopening events in which Her Majesty the Queen Mother participated this past summer, we can see how the placing of that house on a former park area at the Canada Life building property is something which all aids the preservation of areas of concern within the community.

As I have said, Mr. Speaker, the ministry is to be commended in finally providing in one piece of legislation the modern approach that we should take to the heritage of the province.

We are interested, of course, in noting that there will be tenders called for any significant restoration matters. You may recall, Mr. Speaker, that there was much said in the early part of this year with respect ot certain of the work in the Fort William area and the problems that were raised with respect to tenders and other such matters. Surely, where large sums of public moneys are being spent, particularly in areas that might have a greater restorative cost than is apparent when you look at the outside of a project, we must make sure that tenders are being used to as great a degree as possible so that we are getting good value for the work being done on these projects.

I suppose that one thing we could refer to is the chairmanship of the foundation. It is interesting to see that the former member for Carleton East has received the chairmanship and will, I presume, continue in that position. The minister might choose to comment as to the emolument and other amenities which that gentleman will have as he oversees this particular foundation. One can expect that we will see his shining face around the building on some occasions in the future. Of course, that is always pleasant, even though the no longer has the responsibilities of representing that constituency.

I suppose that one who has been involved in historic work and the various other projects along this line might well comment that the bill does not go far enough or that there should be further amendments. I trust the minister will in the next session bring forward additional amendments, or be prepared to strengthen this bill if such proves necessary.

One could say that an additional background of funds for restorative work could be done as well as the acquisition of new buildings or new projects. I suppose that the government, as it looks more to the preservation of the various projects and buildings and other matters and sites of historic value, may be prepared to come forward with funds. I would appreciate hearing from the minister as to whether he foresees a change in the public funding of various conservation projects and whether the funds presently in existence for this work are going to be increased. There is a review board which will be, I think, of use as various projects compete for the obviously scarce funds which are otherwise available.

I do, as I say, bring the support of our party to the minister as he develops this kind of legislation—which we think is long overdue—and which we hope will be used as a strong tool to preserve and develop the heritage of the province.

Mr. Speaker: The hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Speaker. We support the general principles that are em-

bodied in this bill. The physical preservation of the heritage of the province is something that our party supports, and many of us in the party have as fine a historic sense as the minister and the government, I'm sure. We know that aeons and aeons hence, centuries from now, people will be well pleased to see the preservation of an obscure Premier's home in Brampton, Ont. I'm sure the government wishes to have the bill passed before that becomes a historic moment, and that's one of the reasons why it is bringing it forth at this moment.

Mr. R. G. Eaton (Middlesex South): There's lots of time for that; years ahead.

Mr. Foulds: There are, however, a number of clauses in the bill which we think more appropriate to deal with in committee, by questions and answers about specifics, and I would therefore request that the bill go to committee, if only briefly.

One thing that does bother me to some extent—and I understand the difficulty that the minister and the ministry would have—is that the bill itself is entitled, "An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario," and nowhere within the terms of the bill is the word "heritage" defined. That seems to me to be a very serious oversight, if it's not an impossible task to do in legal terms.

For example, it does not bother me that Mary Pickford's home is no longer in existence on University Ave. and it has been replaced by the Hospital for Sick Children. There are certain things that we have to come to grips with in terms of meeting the needs of our present society, and that seems to me to be one of the most important balancing acts that the board and the foundations that the minister envisages in the bill will have to cope with over the next number of years.

There are three principles embodied in the bill that I, in a rare moment of conviviality, would like to pay tribute to the government for bringing in. I am particularly pleased about the principle embodied in section 10, subsection 1, which puts squarely on the minister the responsibility for policies and priorities being established. I think that is an extremely valuable principle in this kind of legislation, because it does mean that a number of issues raised in the public mind can be brought directly to the House and to the Legislature for consideration.

The fact that that is clearly spelled out in the bill is a principle that our party would support, not only in this bill but in a number of others. We wish it were so in a number of other government agencies, such as Ontario Hydro and OHC, although I must say the present Minister of Housing is doing a yeoman job of defending OHC at the present time.

The second principle that I'd like to see the minister comment on before we leave second reading, if possible, is the principle that is embodied in part 4. If I understand the part correctly, it gives the authority to the municipality to designate sites and to establish the advisory committees necessary, and I think that that's an important principle, because surely we have to allow, in province-wide legislation, for the variation necessary from region to region within the province.

For example, just in terms of the age or the youth or the growth of the buildings, a frame house built in northwestern Ontario in 1910 may very well be a historic monument, where here in southern Ontario that would not be considered so, simply because there is a difference in the age of the history of the different areas of the province. It seems to me that that is the part in the bill that allows for that variation to be considered by the local people—and then approved or not approved by the provincial body.

The last principle that I think is worthy of some note and some praise is section 32, which provides for the review process, if that is necessary. If an owner feels that he has been done an injustice in the designation of his property he can appeal through that route.

So I think we on this side would support the principles embodied in those three sections in particular. I know my colleagues have some comments they wish to make, and I would just like to end the lead-off on this and say that in principle we support the bill. There are a number of clauses we would like clarification on and my colleagues will be speaking specifically to some of those. Thank you, Mr. Speaker.

Mr. Speaker: The member for Waterloo North.

Mr. Good: Mr. Speaker, I would like to make a few comments. We are glad to see the general legislation. I believe Kingston and Toronto were the only municipalities that had private legislation permitting them to designate certain buildings as historical sites.

With the repeal of the Archaeological and Historic Sites Protection Act one matter must be brought forth here. I see in this bill no

provision made for compensation to owners who have the market value of their building reduced by having it designated.

Permission is given in this bill for municipalities to designate certain properties as historical sites. I agree this must be done. I think we must retain a link with our past, and our heritage is certainly wrapped up in properties and buildings. It is interesting to note, Mr. Speaker, that in the recent publication of the Ontario heritage magazine, they had an article on the work they are doing. They say "some you win and some you lose;" and they said "here is a picture of one we lost," and they had a picture of the Kitchener city hall on a half page of the magazine. The Heritage Foundation did have an active part in trying to preserve that building, but the city fathers saw the problem as something different, and the city hall in Kitchener was torn down.

Under the other Act, Mr. Speaker, that is being repealed—the Archaeological and Historic Sites Protection Act—there is a section which reads as follows:

> Where land is designated under sections 2 or 2(b), and no agreement as to the terms and conditions upon which the designation is made, including payment of compensation, if any, has been reached by the minister with the owner, the owner shall be entitled to compensation:
>
> (a) for any reduction in market value of the land designated;
>
> (b) for any reduction in market value of any land contiguous to the lands designated, owned by the owner or used under unified control of the lands designated by the owner.

I think we get right back to the old purpose which has come up for debate on numerous occasions in this Legislature. That is, when something must be done for the public good, or for the good of the majority. I don't think one segment of the population should have to bear the whole brunt of the cost.

This goes right through our planning development legislation. We argued that principle where one group in society—for instance the farmers—don't feel they should have to pay the whole shot to have good land-use planning in the Province of Ontario, and we had the principle established in the Archaeological and Historic Sites Protection Act that compensation should be paid and would be paid to those who had the market value of their property reduced in view of the fact that their property had been designated as an historical site.

Now I think, Mr. Speaker, there might be a compromise—

Hon. J. A. C. Auld (Minister of Colleges and Universities): Could I just interrupt the hon. member?

Mr. Good: Yes.

Hon. Mr. Auld: If he refers to section 62, subsection 2, which is on page 33 of the bill, I think he will find that in fact the old provisions are continued and somewhat extended. That's in part VI.

Mr. Good: Thank you very much, Mr. Speaker. This then is a new addition to the bill. The last time I spoke to the people in the ministry they told me there was no provision for compensation, and I must confess I didn't catch that in the bill now.

Hon. Mr. Auld: I can understand that. The hon. member has not had too much opportunity to read this since Friday.

Mr. Cassidy: That's right; we haven't as a matter of fact. For a major bill it's a disgrace to bring it in like this.

Hon. Mr. Auld: But it is simply the same section, as the member will notice from the Revised Statutes of 1970, transferred in here.

Mr. Cassidy: And the minister expects us to read it in advance.

Mr. Good: Thank you, Mr. Speaker, I'm glad to note that I can't grasp the whole intent of these sections right now while standing here. The last time I had spoken to people in the ministry I was given to understand there had been no provision made for compensation. Certainly I will say again that I don't think any particular class or person in society should have to accept the whole financial burden for something which is for the good of all.

The other provisions of the Act have been long sought by historical societies, especially in my own area. They've had an active interest in this legislation for two years. I've been phoning the ministry for two years trying to get information about when the bill is coming. I was assured just a year ago that it would be in the last session. I understand now the bill has been expanded and is more comprehensive. I certainly hope this will serve the needs of those municipalities which are rightly taking more and more interest in the preservation of the past.

Mr. Speaker: The member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker, I, too, share the concern of my colleague from Ottawa Centre about the inadequate amount of time that was given to members of the House to read in detail and to understand fully the implications of this bill. From a very superficial analysis of it, I think it is a good bill, but I would have liked much more time in order to study it and see the significance of it. It is regrettable, Mr. Speaker, that for a bill of such far-reaching importance as this adequate time wasn't given for perusal of it. I don't think any of us saw it until we came into the House and saw it in our order book this afternoon.

Mr. Cassidy: Precisely.

Mr. Stokes: However, I am going to make some comments on it, Mr. Speaker. One of the things I am pleased to see in it is that it provides for greater protection for Ontario's archeological resources. Coming from an area of the province that hasn't the kind of historic background by way of buildings and man-made structures that previous members have spoken on, I am particularly concerned about the protection and preservation of archeological sites.

I don't know what the minister means by heritage conservation, but I do know there are a good many historical sites in the province that have been named and designated based on a previous activity of either the voyageurs or the migration of natives many hundreds, and indeed many thousands of years ago. Without going into detail, the minister is saying: "Yes, this was an historic site and we would like to bring it to your attention."

I want to get into something much more specific than that. I want to deal very briefly with part IV of the Act where it states, quite specifically, what the legislation will be and what the regulations will provide for the proper protection of historic or architecturally valuable edifices. I want some kind of assurance—and I haven't had time to go through the bill in detail—but I want to know if there is going to be a similar kind of protection for areas without municipal organization.

I'm thinking in terms of a church that was built by the Jesuits many decades ago to serve native people. There may be a plaque stating that this was an area where native people did certain things, or certain groups of Jesuits or other clergy came to so-called Christianize our first citizens. There are still a few of those buildings left. I can think of one right now up on Highway 11 overlooking Lake Helen, just north of the town of Nipigon.

I'm wondering what kind of mechanism the minister is going to set up, or what kind of information or what kind of resource people he is going to draw from in order to designate or pinpoint these things that have some historical significance? It there going to be the same diligence on the part of the minister and the people who are going to be responsible for carrying out this Act? Is there going to be the kind of diligence that is going to be required in order to protect the historical significance of certain events of the past?

I'm also concerned about the licensing of activities for exploration of archeological sites. I'm also concerned that a lot of this so-called uncontrolled digging has gone on in many areas under Opportunities for Youth grants. I'm not at all aware that licensing was required in the past.

I think this is something I welcome in the bill. I know that over-zealous groups of youngsters, headed up by one archeologist, went into an area. They really did not fully understand what they were doing in removing these artefacts. They were supposedly well-intentioned, but from what I've been able to gather really did more harm than any good that might have been achieved.

We have a small museum in the town of Nipigon, and a group of very dedicated people are gathering artefacts and things that will remind us of the life-style of the past. They are aware of certain digs that have gone on in the past, particularly on the east shore of Lake Nipigon. People, either authorized or unauthorized, have gone up there and removed some very valuable artefacts.

I can think of one batch right now that's sitting stored in the basement of the Royal Ontario Museum, just up the street here. We have tried, to no avail, to get those artefacts back, because it is a very important and integral part of the early history of our area. We want to preserve those things. If I may, I want to get some kind of assurance from the minister that whenever a dig is authorized by way of a licence under this Act, it just doesn't give somebody the unilateral or unchallenged right to come in, do a dig and to put artefacts on display down here in the ROM. I think it's something that belongs to the people in the area. While we only have one museum of any consequence in my area, and it has only been in operation two years, I want to pay tribute to them now by saying I think they have done an excellent job; they

are in the process of cataloguing all of the artefacts they have.

With this kind of legislation, and if we can get this kind of co-operation from this minister and this ministry, I think we can provide a much more detailed and much more historically accurate record of what went on in many areas of the province; and of course particularly the part of the province I am concerned about, which stretches all the way from English River to White River and from Lake Superior up to Hudson Bay.

To indicate to the minister how strongly we feel about this, with your permission, Mr. Speaker, I want to quote from a letter that was sent to Mr. Campbell Currie, who is with the Ministry of Natural Resources and whose primary responsibility is dealing with native people, particularly in the far north. It was also sent to a Dr. Walter Kenyon of the Royal Ontario Museum. It was sent by people from the Toronto Sick Children's Hospital to Mr. John MacFie of the Ministry of Natural Resources in Parry Sound. It was sent to the historical department of Hudson's Bay House in Winnipeg.

To indicate how important it is that we be made aware of some of the historical sites that have been neglected or perhaps weren't even known, I want to quote from this letter, which gives information regarding Old Fort Severn. Fort Severn, on the shore of Hudson Bay, is the most northerly place in Ontario where anybody lives; it's in the riding of Thunder Bay, by the way—

Mr. Foulds: A well-serviced riding.

Mr. Stokes: The letter states:

> In connection with the University of Toronto medical school involvement in the so-called Sioux Lookout project, I have visited Fort Severn for one, two, three or four days in each of the last five years.
>
> On my first visit in September, 1970, I was taken to the site of the recently discovered Old Fort Severn by Moses Kakakaspan. This site evidently was discovered in the late 1960s by people from Fort Severn cutting firewood in a fairly recent burn. They discovered bricks underneath the surface of the recently burned forest floor.
>
> The site is on the mainland, two or three miles south of the present settlement on the east side of the river and nearly opposite the north end of the so-called Sugar Island. I believe it has been visited by one or more representatives of Ontario Lands and Forest from time to time, and there is a rumour that some bricks have been sent to England and the time of manufacture has been identified.
>
> I gather that the site is visited fairly frequently by inquisitive goose hunters and whatever other tourists reach Fort Severn, but in my judgement even on a second visit the site is really not very much disturbed although I, of course, know virtually nothing about the digging of anthropological sites.
>
> My last visit to Fort Severn was June 24 to June 25, 1974, and on this last occasion I brought back samples of bricks and tiles. These are now in the custody of Dr. R. G. Bowes, room 650, Whitney Block, Queen's Park. Dr. Bowes is senior archaeological research supervisor in one of the ministries of the Province of Ontario.
>
> In addition, on July I notified Dr. Walter Kenyon of the Royal Ontario Museum by telephone about the site and the bricks, which I brought to Toronto. On a day in September or October, 1974, I spent a very enjoyable couple of hours with Dr. Campbell Currie, chief of the division of fish and wildlife in the Ministry of Natural Resources. Our meeting was in the Whitney Block. I discussed with him the matter of the old fort site.

I am not going to read it in detail, but he says:

> At the start of our discussion centered around an article in the Beaver Magazine [which is the official organ for the Hudson's Bay Co.] in the spring of 1970 by John MacFie, entitled, "Severn House 1770," Mr. Currie kindly allowed me to speak to Mr. MacFie by telephone at Parry Sound.
>
> Mr. MacFie's article gave an excellent review of the history of the Hudson's Bay Co.'s activities at the mouth of the Severn River. It includes photographs of artefacts retrieved from the crumbling river banks.
>
> In our conversation, he confirmed that these artefacts were recovered from the river bank of the site of the present Hudson's Bay post and village. He also confirmed that when he visited Fort Severn the site of the old fort had not been discovered. He told me also that he has a number of other artefacts which he would be willing to contribute to some form of permanent record of the history of Fort Severn, if proper arrangements were made

for the housing and care of the permanent historical exhibit at Fort Severn.

In my opinion, such an exhibit at this site should be chosen by and decided on by the Fort Severn band, whose chief is Mr. Elijah Stoney. There would, of course, need to be consultation between the band and any financial supporter in the project. It seems to me that the discovery of this old fort provides an excellent opportunity for a formal archaeological investigation of the old site by the proper authorities of either the Province of Ontario or the Dominion of Canada or both. It also provides some employment opportunities for some of the people at Fort Severn, and in addition it should provide an excellent opportunity for the people of Fort Severn to identify themselves with their rather long and quite interesting history.

It is signed by a Dr. William S. Keith who is semi-retired. I think he is a surgeon down here and is taking an active interest in this very subject, and of course he lives in Toronto.

I just wanted to prevail upon the House long enough to read that into the record to indicate that this is just one of many sites that have been neglected. Since it is in an area where it is very remote, I am hoping that within the framework of this particular Act the minister will instruct those who are responsible for carrying it out to get out into the field to identify these sites, particularly sites that have historical significance as they pertain to our first citizens. We have many areas in the province that have been designated where we have had Indian pictographs. We have got them down in Agawa Canyon, north of Sault Ste. Marie. We have got them in Worthington Bay south of Schreiber on Lake Superior and we have got them in Quetico Park.

This is all a very very important part of our historical past. I would ask the minister to pay particular attention to them when he is setting up this mechanism, particularly for those areas I am concerned about where there is no municipal organization. I am not speaking in terms of buildings now, but I am thinking in terms of artefacts and historical sites. The history of other races in some cases goes back 6,000 or 7,000 years. I hope the minister will pay particular attention to them. I see this as not only an opportunity for the native people to see what their links are with the past, but if we can get a sufficient amount of dollars it will be an opportunity for them to be gainfully and productively employed in preserving these in a building or in some form of setting that might provide immediate employment. It would serve as a means of making them a very important part of the history of the past and making them aware of the fact that we too are interested in their past.

There could be some financial significance in setting these items up in the form of a museum, particularly in those areas where we may be able to attract a significant number of tourists, in order to make it, in an attractive way, something that would attract tourists. Thus it wouldn't only be just an educational thing and a documentation of the past, but it would provide some means of income on an ongoing basis.

As I said in my opening remarks, I didn't have enough time to go over the bill in detail, but in general I welcome it and I hope the minister will be able to give me some kind of assurance that he, too, is concerned about the preservation of these sites; and hopefully if there are any licences issued under it, they are not all moved down here for storage to enhance viewing of people in southern Ontario, but they should remain in the north, much closer to where they are found, so that we, too, will have something to boast about by way of retention and cataloguing of what has gone on in the past, and hopefully assist our native people in the process.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you, Mr. Speaker. I want to make a few comments on Bill 176, an Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario, and refer specifically to probably the one area in the province that is filled with maybe more history and variety of history than is any other area, and that is the area of Essex county.

Mr. Cassidy: Oh it's the Ottawa Valley. How could the member get it wrong?

Mr. Breithaupt: Let the member for Ottawa Centre speak next.

Mr. B. Newman: Well, I said one of the areas that is probably filled with more history than is any other area in the province.

Mr. Cassidy: We had Champlain, for example.

Mr. B. Newman: Mr. Speaker, I refer to the Essex county area and the attempt on the

part of the residents in the county and the professors at the university regarding the development and the preservation of some of the historic artefacts and buildings in the county. The minister, when he was the Minister of Tourism and Information, does recall the many times that I brought up in this House in connection with the need for the development of a Jesuit village and/or a seigniory in Essex county.

I always made mention to the minister of the fact that our American friends to the north of us have developed, in Dearborn, the Ford museum and also the Greenfield Village; the Ford museum generally being a museum dedicated to the automotive or similar type of transportation, whereas the Greenfield Village has the most outstanding collection of various historical buildings throughout the United States. The minister will be aware if he has visited it—and I would assume that he did as Minister of Industry, or Minister of Tourism, in the past—of the laboratory in which Thomas Alva Edison developed the first electric light bulb; that being one of the numerous exhibits in the area.

I can foresee, with the passing of this Act and the interest on the part of the ministry, the development of something similar, but on a small scale, in the Essex county area, the area in which early settlers made their first home on their journey up into what is now the State of Michigan and eventually going right through to the Lakehead. I make mention of a Jesuit village, because to my understanding the area was the first permanent settlement in Lower Canada—that is what I would refer to Ontario as, although I am always confused as to whether to say it was Lower Canada or Upper Canada—at any rate, the first development or settlement of the Jesuits was in the area around what is now Assumption Church and the Assumption College or University of Windsor.

The people who live in the River Canard area have in the past expressed desire for the development of a seigniory, something that could point out to our many visitors who come into the "garden gateway to Canada," the "sunshine parlour of Canada"—the Essex county area— just exactly how the early French settlers did get along and just exactly how they did live.

The minister is also aware of an historic building that could have been preserved by this government, and that was when the public school men teachers attempted to have a former school—later turned into a library and then torn down for the development of a housing project—made into a museum. That building could have made an excellent museum for the community so that our present generation could see just exactly how their great-great-grandparents were educated in that school building. It was a sorry day when the government thought it more important to place a housing project in the area rather than to preserve that site for its historic benefit.

The minister is also aware that the Essex county area was the first point in Canada where the slaves entered when they left the United States in their pursuit of freedom under a British flag. I think there are a lot of extremely worthwhile buildings that could be preserved in the county that trace their construction to the earlier days. There is an organization or association that originally started as an historic vehicles association in the Windsor and Essex county area that has expanded by purchasing a site around Arner, sort of in the centre of the county. On that site they are attempting to place various buildings of historic significance. To the best of my knowledge, they have already placed on the site a former schoolhouse that dates back well over 100 years. They are also interested in purchasing other buildings throughout the county area to place in this location, so that our future generations can at least look back in history by visiting that area.

I hope that the legislation we are passing here today will also permit the minister to provide funds to non-profit organizations that would be interested in the development of historic areas and sites in the province. What he has done in the Upper Canada area is an excellent example of what should be done in other parts of the province. We live on the extreme southwestern end of the Province of Ontario. We are sort of a dagger projecting into the heartland of the Americas. We are, in the Essex county area, only eight hours' drive away from approximately 50 million people. Surely, from the historical point of view itself, it would be worth the minister's while to see to a development either of a Jesuit village or a seigniory in Essex county.

I hope, Mr. Speaker, that the minister does take into consideration some of the comments I have made and that he does look favourably, in conjunction with the community, on the preservation of many of the historic areas in the Windsor-Essex county area. Thank you.

Mr. Speaker: The hon. member for Ottawa Centre.

Mr. Cassidy: To begin with, Mr. Speaker, I want to put it on the record that I think it is an absolute disgrace that a government of 74 members, or however many they have, and with all the resources of the civil service behind it, which has had an intention for three years to bring forward legislation relating to historic preservation, can't do better than to produce the bill on a Friday, to publish it on a Monday and to begin to debate it an hour or two later. I think that is an absolutely shocking disgrace.

I think it is an insult and an affront to all of the people who submitted briefs in response to the report of 1971 on a programme for the conservation of properties of historical and architectural significance in Ontario. All of those groups have taken an enormous interest and have co-operated with the government and have been willing to take at face value the government's assurances that it really intended to do something genuine in this particular area. They have dealt fairly with the government; the government has not dealt fairly with them.

Can I just say that I regret I don't see here in the House the presence of Mr. Bert Lawrence. His interest in heritage is well known and his hopes that he would be able to do something with the Ontario Heritage Foundation under the expanded legislation also is well known. I wish him well in that particular endeavour. I am sorry that he is not here.

For that matter, I don't think I can see Mr. Larry Ryan here in the galleries either. He has been the secretary of the Heritage Foundation for several years. He has struggled on, basically with sealing wax and chewing gum, in an effort to have any kind of a provincial programme of heritage preservation over the last few years. He has done a good job with the resources that were given to him. But a government which is now, I suppose, telling us it is making another commitment to heritage preservation in the province, and which is bringing forward legislation to that effect, has left the Heritage Foundation basically penniless—or just about penniless—and they have been able to do very little over the last few years.

Perhaps I can begin by reviewing that record, Mr. Speaker. The record of the government toward heritage in the years since the creation of the Ontario Heritage Foundation in 1967 is an unfortunate guide to its credibility, if it now intends to expand the work of the foundation and to expand the powers of the municipalities to designate historic buildings. I am afraid the record of the Heritage Foundation, as far as the foundation itself is concerned, is one of gallant struggle; but the record of the government as regards the Heritage Foundation is a miserable one.

There has been a $500,000 endowment over the period since 1967, if I read the accounts of the Heritage Foundation correctly. It has dispersed out of its general fund the total sum of $442,000. Of this, $250,000 was dispersed for a particular purpose, which I would suggest, is perhaps more related to the Ontario Arts Council than to the Heritage Foundation; and that is, apparently, the acquisition of the Firestone property.

I would appreciate it if the minister could explain just what that means, either during the course of the second reading debate or during the course of the committee study of the bill. My understanding had been that the bequest of the Firestone property, the physical property housing the Firestone collection in Ottawa, was a gift to the government. There was not an actual payment to them by the government of Ontario for their residence, but rather a guarantee to the Firestones of life tenure in that particular property, so long as they wished to stay there.

At any rate, the Firestone collection is related to heritage preservation and the very valuable work of early Ontario artists, particularly those in the Group of Seven; but it is not related to the preservation of historic buildings, which was the prime purpose of the Heritage Foundation. If you take away the Firestone collection payment, Mr. Speaker, less than $200,000 has been dispersed out of their general fund and only half a dozen properties have been acquired.

I noted with interest and some pleasure that the Heritage Foundation has tended to devote a fair amount of its effort to eastern Ontario. That's possibly because of the enormous historical legacy in that part of the province which, of course, was settled and flourishing before Essex county was more than a dream in the eye of some American settlers, I suspect. Nevertheless, what they've had to cope with has been really inadequate.

In 1972-1973, which is the latest year for which I could find their report, on the very short notice that we had, Mr. Speaker, the Heritage Foundation disbursed the enormous sum of $35,851 on half a dozen projects. It was reduced to putting out nickels and dimes, relatively speaking, and simply could not embark on any major programmes of preservation.

Mr. Speaker, that's been the situation up until now. I think before passing second reading on the bill this House deserves to have a statement from the minister of just what are the intentions of the government as regards the Heritage Foundation, since this is a major vehicle that will be created in the course of the Act. It's powers are augmented; it's destined, I gather, to become a more important body. But will it have any money to back that prestige or will it be wandering around the province with money enough to put up plaques but with no other resources in particular to speak of? That needs to be said. The government's credibility is on the line.

I would suggest, too, Mr. Speaker, in the course of looking through the legislation with what time we've had available, that I just can't help feeling this bill would benefit from being held over after the second reading debate until the session which, apparently, we're going to have in January. I would plead with the minister to commit himself to put the bill out to a committee and that that committee have the power to bring in represenations from groups like the heritage committee in Ottawa which has been taking a great interest in this, historical societies across the province, people interested in preservation here in Toronto and so forth.

I think that the bill itself would benefit from that kind of scrutiny. We would understand what we're getting into. There would be publicity for municipalities and that might encourage some of them to get into it more quickly. We could generally strengthen the bill and repair the kind of problems the minister is creating for himself by this sudden, last-minute imposition, if I dare say the word, of the bill on the Legislature.

I have followed this with some interest. I happened to be in the House today. The bill was not announced, as I recall, as having any priority when the orders were read out late last week and we had only received it, so we didn't expect to get it today. I find myself scrambling even to discuss the bill at this time and I would wish for more time as well. I would say, in particular, Mr. Speaker, that there are two areas which cry out for further study and further discussion before the bill is passed in legislation and is enacted. One is that I don't think that the economic problems of conservation of buildings of historic or architectural interest have been fully dealt with in the course of the bill.

In one sense, those economic problems are touched upon when a building is designated as being of either historical or archaeological interest by the province, because, if an owner doesn't want to have his building so designated, or wants to wiggle out of it or wants to alter it or, as I understand it, wants to demolish his building after designation by the province, he has to lodge an appeal. It goes to the Conservation Review Board which, in turn, reports back to the minister and the minister may make a final and binding decision. He may, in fact, tell that particular owner: "Your building deserves to be kept as part of the heritage of Ontario and you do not have the right either to tear it down or to alter it, and that's that." That's the final decision.

In certain instances I would expect that the minister might make an arrangement with the Heritage Foundation in order that some of the costs of maintenance or whatever might be supplied if there is a real economic hardship that is being done. Nevertheless, at the provincial level—and I think quite rightly—there are final and binding powers to order the preservation of a particular building. But the economic problems of conservation are not really dealt with nearly so adequately when it comes to a building which is designated at the municipal level.

We have to assume that some structures which are designated at the municipal level would be considered by a provincial advisory committee—if one was created in this bill, which it isn't—as being of outstanding provincial historical interest, but which for various reasons it may well be possible that the minister of the day won't have designated in a particular municipality and a particular region. Maybe he will be fairly cautious or conservative about his use of the powers of designation, and the municipalities will feel compelled to step in and try and repair the gap.

If the owner of a designated building doesn't like it or wants to alter that building, there is a procedure laid out here where he also goes before the Conservation Review Board and that review board then reports back to the municipality and says, "look, the alterations are fine," or "They are terrible," and at any rate it gives some advice to the municipality as regards alterations and the municipality can make a final and binding decision. They can say to the owner, "Look, we are sorry. We know you want to turn this into bachelor flatlets with a brand new frontage, but you can't do it. We won't let you." Or, "We know you want to turn this into a series of boutiques to look quite differ-

ent than it looks right now. You can't do it," and that's that.

On the other hand, because the economic problems of conservation of heritage property are not fully seized in this bill, an owner who was frustrated in an effort to get alterations may then decide to go the whole route and seek to demolish. If he seeks to demolish, the municipality has the powers to delay and it also has the powers to expropriate within that 180-day period. It has the powers to make loans or grants to that particular individual or to the property owner. That's fine. But in the case of an impasse, however, after 180 days have passed, given an intransigent owner on the one side and a council which does not have the resources to acquire the property through expropriation on the other, then a piece of priceless heritage in the province goes.

I would ask the minister—and maybe his officials can advise him on this—for example, in the case of the Rideau Convent, just or Rideau St. in downtown Ottawa, whether the powers proposed here could ultimately have prevented the demolition of that convent? That was property Mr. Speaker, which sat on valuable commercial land, close to Rideau St., a major shopping street in Ottawa, but which was also of inestimable and irreproducible historic value in the province.

At the time that the new owners sought to demolish the building there were appeals down here, there were appeals in Ottawa; the owners agreed to delay for a while, the National Capital Commission and the city got involved in the act, there were appeals to the federal ministers and federal MPs for the area, and to the provincial people, all in an effort to find enough money to acquire the property. But the acquisition of property when the lands values are in the order of $20 or $30 a foot or more is a very expensive proposition. The money wasn't there and there were no means by which the municipality could compel the owner to sit down and look at an alternative kind of proposal which would have allowed commercial redevelopment of the newer portions of the Rideau Convent and preservation of the historic portions, the oldest parts of the building. This could be suggested—and was, in fact, discussed—but there were no means to compel it and those means are not provided for in this particular bill.

Mr. Speaker, in a discussion by the Heritage Ottawa committee of the questions of heritage, they point out the kind of economic problems which exist when you get into these situations, and that sometimes the problems arise not even because of an increase in the value of alternative uses but because of the added expense or increasing expense of maintaining heritage property.

Mr. Speaker: Order, please. May I inquire of the member if he has further remarks to make? If so, would he move the adjournment of the debate?

Mr. Cassidy moves the adjournment of the debate.

Motion agreed to.

PRIVATE MEMBERS' HOUR:

NOTICE OF MOTION No. 9

Clerk of the House: Notice of motion No. 9, by Mr. Walker.

RESOLUTION: That the government of Ontario enact legislation providing for an Ontario lottery sponsored by the government.

Mr. G. W. Walker (London North): I move resolution No. 9.

Mr. Speaker: The member for London North moves resolution No. 9.

Mr. G. W. Walker (London North): Mr. Speaker, there is nothing so persuasive as an idea whose time has come, and in terms of the question of lotteries I think that the time has come.

Three or four years ago I made an announcement concerning my interest in a government-sponsored lottery on the Queen's Plate, and at the time it drew a reaction that was basically a zero; maybe it was because I was announcing my candidacy or something like that.

But in true tradition I thought it appropriate to recycle it again this summer and indicated that I would move a resolution or a private member's bill this fall in the Legislature for a government-sponsored lottery. I must say, Mr. Speaker, that the reaction was frankly nothing short of phenomenal. I was really impressed.

I suppose one must ask, why is there a sudden change of feeling amongst the public? I'me sure it must relate to the legitimizing of lotteries by the Olympic lottery. Probably most people are impressed by lotteries. Almost everyone has purchased a ticket in a hockey pool or bought a Kinsmen ticket on a new automobile or what have you. In fact, I'm sure we have all coveted the winning of

an Irish Sweepstake in our fondest dreams. Probably the Irish Sweepstake provided us with the impetus to take these chances, and the Olympic lottery made it legitimate. But today there is undoubtedly a reaction to have lotteries. They are legitimate. They are good forms of revenue-bearing machines.

Man by his very nature takes chances; I think every time we turn around we are taking a chance. It's a life of risk. In fact, all of us think we have a chance of winning an Olympic lottery, but none of us think we have a chance of getting hit by another car, and therefore of needing a seatbelt, so we don't buckle up. However, we do assume that we are going to win a lottery, and the chances there are somewhat fewer certainly than they would be in getting into an accident.

We are surrounded by lotteries in all the provinces. The western provinces have a lottery. Quebec has a lottery. I believe there is one in the Maritimes. The American states have lotteries. New York has a very successful one, and Illinois and Michigan have them. I even heard a story today about the lottery that was recently introduced in Ohio; the problem there is that federal broadcast regulations prevent the lottery agency from broadcasting the winning numbers on either radio or television, so they must rely on the newspapers. Unfortunately, in Cleveland there is a strike of the newspapers. So they have had to hire a few town criers to go around Cleveland carrying signs bearing the numbers. I guess this is how they are getting the message across.

Mr. F. Young (Yorkview): They used a helicopter finally.

Mr. Walker: Yes, I think a helicopter was invoked to tow the numbers about the city. Such is the interest in lotteries. It's definitely developing to a fever pitch, and undoubtedly the Olympic lottery has created most of it.

The most interesting lottery I know of, Mr. Speaker, is Loto Quebec which, not to be confused with the Olympic lottery, is operated by the Province of Quebec. They have a variety of different—what shall we call them?—games of chance. They have 50-cent weekly lotteries on a $5,000 draw. They have $2 monthly lotteries on a much higher purse. They also have, I believe, a $4 quarterly draw on an even larger booty than the monthly draw. They have perfectas based on the running of horse races and a number of computer draws as well. Always, of course, we have that international lottery—the Irish lottery—that we heard so much of in the 1950s and 1960s. I don't know if they had it in the 1940s, but it was pretty popular in the 1950s when I was growing up.

Mr. Speaker, the design that I would see in an Ontario provincial lottery would be one that had a wide variety of approaches, not just geared to one single event like the Queen's Plate, although I think that many of these could be encouraged. We could have lotteries perhaps based on the Queen's Plate, the Stanley Cup, the Grey Cup, a number of special events, and other sports attractions. In addition, we could have a variety of computer draws, again on the weekly, monthly or quarterly basis. I would think that it would be not correct to restrict the lotteries to any one field, but rather to give a wide opportunity for the investing public to invest its money in this opportunity for great reward.

I don't think I need to mention to the Legislature, Mr. Speaker, the lost revenue that this province alone must suffer. How many Irish Sweepstake winners have we had in Ontario in the past five years alone? I think probably a dozen every year, and they usually win $200,000 or $300,000. If you assume that there must be $1 million or $2 million a year in actual booty that comes into the province from the sweepstakes, there would have to be an appropriate outflow from the province for these people to have won. So we could assume from there that probably $2 million, $3 million or $4 million a year is going out of Canada just to the Irish sweepstake alone. No doubt Ontario contributes its fair share to these particular lotteries in Ireland—perhaps as much as half of that.

The Loto Quebec has made great inroads, Mr. Speaker. In effect, it's a new tax. One would ask how much money it can return, and it's estimated that the Loto Quebec returns revenues to the province of something approaching $100 million a year. It is also estimated that of this $100 million, probably Ontario contributes a fair share, because there are a lot of sales, I am told, at least from Toronto to our eastern frontier with Quebec. There is no doubt a great deal of money that goes into other provinces and other states for the lotteries, certainly from the border cities.

On the Loto Quebec amount of $100 million per year that is estimated to be their return, it is again estimated that between 40 and 50 per cent is a proper overhead for prizes and cost of producing the lottery. The net profit, then, is $50 million to $60 million a year. If we transport that figure to Ontario

I think we can find that the value of this tax would be immensely evident, insofar as $50 to $60 million would suddenly be coming into our coffers that might not otherwise be so.

Mr. J. F. Foulds (Port Arthur): We'd get more from taxing the corporations properly.

Mr. Walker: I should think the next question one would ask is: What would the government do with the money that we have? I think it is important, because lotteries are based on sports activities, to return them to sports activities and plough the money back into sports and into fitness. I would suggest that this special tax have a special purpose that would be geared for the good health of the province. The benefits are again evident. It would certainly reduce some of our hospital costs if we had a much fitter and healthier society. So we get some inherent benefits that are not even considered at the present time.

I would suggest that these moneys be used for special add-ons, Mr. Speaker, that we wouldn't normally have. It should be devoted to the sports activities in this province, though capital projects such as building swimming pools, tennis courts and ball diamonds, and equipping rowing clubs and canoeing clubs, lawn bowling clubs, whatever it is—attempting to get it into the community. If $50 million or $60 million were the estimated net revenue for the Province of Ontario, one year's revenue alone could build upwards of 1,000 swimming pools in this province. That would touch every community, if every town and city in Ontario could be in some way accommodated with a swimming pool.

With five years of this money being properly spent, Mr. Speaker, at the $50 million to $60 million rate, it seems to me we could have in this province a fitness that just wouldn't otherwise be seen. It would do a credit to this province, and as a byproduct it would produce the kind of people who are going to be very successful, particularly in the Olympics coming up later in the decade. I think we could be very proud of them and with these moneys we could provide the necessary facilities throughout the province.

Mr. Speaker, my guess is that even during a recession lottery tickets would be purchased. It would be one of the last ones to be given up. That revenue would still be available and we would still have a fit society even during a recession. It might have some mental imbalance but it wouldn't have any physical imbalance.

In conclusion, Mr. Speaker, may I say that as a name, I would like to propose it be called the Ontario Government Fitness Lottery or Go Fitness. Thank you, Mr. Speaker.

Mr. Speaker: The member for Perth.

Mr. H. Edighoffer (Perth): Mr. Speaker, I am most interested in resolution No. 9 which states that the government of Ontario enact legislation providing for an Ontario lottery sponsored by the government.

I must say when I first saw this resolution go on the order paper and I noted that the member for London North was the sponsor, I immediately thought that the parliamentary assistant to the Minister of Health was flying a trial balloon for some sort of hospital sweepstake. He did mention it or make a comment during his remarks, but that seemed to be the first thought that I had. However, I see with the estimates that have just been introduced that that ministry is asking for another $213 million, so the lottery won't be in time for that.

I am very pleased to be able to participate in this private members' hour which allows us to exchange comments and ideas, particularly in the field of lotteries. During the estimates of the Minister of Consumer and Commercial Relations (Mr. Clement) because of time limits we had very little time to discuss the details of the most recent results of lotteries.

I have noted at the present time that to some extent the government is controlling lotteries that are held in Ontario. By the most recent statistics of the Ministry of Consumer and Commercial Relations, by the most recent report, it appears that bingo, raffles and bazaar raffles haven't increased to any great extent since 1972. There has been no, as I would say, alarming increase.

But in my view it's really time to look at lotteries realistically. What purpose do we want to satisfy? Do we want to raise funds for charitable purposes and community programmes? Do we want to satisfy the gambling instincts of the residents of Ontario or do we want to try to contain funds in Ontario that are now sifting outside the province, particularly to other countries? I realize it's a very complex situation.

It's my feeling that we ought to be operating a provincial lottery which will give people so inclined to this type of game the opportunity to participate. In turn, the monetary benefits would be available to the public in general.

Local lotteries, I am sure, are here to stay. Of course, today we are talking mainly of a provincial lottery. I believe that experience indicates that lotteries aren't all as profitable as sales suggest. I still believe that they generate a great amount of funds, as was pointed out by the previous speaker, and are of social benefit.

I think the one problem is: What can we do to maintain the money in Canada that now is going out into the international field? When we were talking earlier in the session about speculation tax, I think that tax should have been directed to the benefits from sweepstakes and other lotteries from other countries.

The present Olympic lottery is really Canada's biggest. I think it is a most useful lottery and, of course, will be of benefit to many Canadians. I notice in many articles it's been stated that lotteries, of course, are no substitute for taxes. This is very clear to me, because I don't believe it's an equitable way to extract funds from people. And I hope that lotteries, if sponsored by the government, would not be interrelated with the actual tax base.

There are a lot of benefits from lotteries. The previous speaker mentioned some. I have thought for a long time that they would be very beneficial to historical projects. It's quite possible that some of those funds could be funnelled in that direction in the future if such a lottery took place.

Now, over the last years I've noticed many newspaper headlines related to lotteries; and I think by producing these headlines the local media have prepared the public for these lotteries. We've seen headlines such as: "Ontario Athletes Gain $368,000 As Lottery Share." Or, "It's Time to Set Up an Ontario Lottery." Or, "Lottery Could Net $60 million for Ontario." Headlines such as these prepare the public for a provincial lottery. Since many people have the irresistible impulse to gamble, or cherish dreams of easy money, these lotteries could be very beneficial.

I believe the director of the lotteries branch has stated on a number of occasions that at the present time approximately 25 per cent of the money taken in is used for prizes; and approximately 50 per cent of the money is used for promotion and administration. This leaves only 25 per cent for the worthwhile causes. To me, this seems hardly enough left for the purpose which they should serve.

I noticed an editorial very recently in the London Free Press, the home town paper of the member who sponsored this resolution. The editorial seemed to be in favour of provincial lotteries. Again, however, it stated that lotteries are no substitution for taxes; and that if the government used this means of revenue, it should do so with caution.

Generally, I'm not in favour of government control. But I believe in this case it might be better if it preserved control, if a provincial lottery was established.

Some thinking should be given to what must rank as one of the prime examples of double standards in the country—as I say, the schizophrenic attitude toward sweepstake tickets. It's still against the law to sell such tickets; but the winners of such ventures are always local heroes with no thought given to the confiscation of any of these earnings. If we are going to have bingos, lotteries and sweepstakes, let's have one official ruling on the subject that will permit everyone to know where the law stands.

Mr. Speaker: The member has about 30 seconds.

Mr. Edighoffer: In finishing my remarks, Mr. Speaker, I will say I will support this resolution. However, I am wondering if it is placed here again as a trial balloon because of the large Olympic complex which the government expects to produce out in the Bronte area. If a provincial lottery is established to produce another grandiose government scheme, I am afraid I can't support it. However, if the lottery seems to benefit all the people throughout the province, it is time to get started.

Mr. Speaker: The member for Stormont.

Mr. G. Samis (Stormont): Mr. Speaker, coming from a riding in eastern Ontario that virtually borders on the Province of Quebec and the State of New York, I can say the people of Stormont are extremely familiar with the whole concept of lotteries. As was pointed out by the member who sponsored this resolution, lotteries are very popular in eastern Ontario, and speaking as the member for Stormont, I must say I endorse this resolution. I don't do so on any doctrinaire or dogmatic grounds, but pure—pragmatic reasons lead me to support this motion.

First of all, it seems to me that lotteries are an essential part of life. Whether we like it or not they just aren't going to disappear; they are a basic fact of life in Canada, in North America, and around the world. It is about time the government of Ontario faced that fact and took full advantage of that fact,

and channelled that situation to beneficial social purposes.

It is also an extremely useful way of raising money; it may not be the best but it certainly is useful. When I support the concept of lotteries it is on one fundamental condition that has been pointed out already by, I believe, the member for Perth—that it not be used as a form of substitute taxation. We must have a fair, just and equitable form of taxation, but at the same time we can have lotteries.

I realize some people would say lotteries are a form of tax on the poor. Sometimes there is some truth in that, but for a fellow who works in a mill, for a fellow who is a dirt farmer, for a fellow who is on unemployment or on welfare, the opportunity of investing $2 to gamble on something based on his dreams or his hopes is something worthwhile in life, and I don't consider that an unfair tax on the poor. If the middle class and the upper class can go to the stock exchange or to the racetrack and gamble the money they have, then the working man has the same right to indulge in some of the pleasures of life. Just because he may not be wealthy doesn't mean we have to deprive him of certain pleasures, certain fantasies or certain dreams.

I was interested to note that in the State of New Jersey, where they have a lottery, they did a survey and they found out that 70 per cent of the people who bought lottery tickets in the State of New Jersey earn more than $7,500. So the lottery in New Jersey wasn't being supported by poor people. I also found out that 72 per cent of their customers had high-school educations as well, so it is not exclusively something confined to the working class.

Mr. Speaker, lotteries have been around for a long time. They are nothing new in North America. In fact they were started by private outfits in 14th century Italy, where they were known as lottos, and they are very common in Italian society. France started one in 1553, for example. In 1664 England had a public lottery, and you can go through the other countries in Europe: Poland in 1808; Denmark in 1870; France revived the national lottery in 1933.

If you look at the history of Canada and the United States, it is nothing new to see public lotteries. All 13 of the founding colonies of the United States had public lotteries. Even Thomas Jefferson publicly advocated state lotteries.

Here in Canada, the city of Montreal in 1873 had a municipal lottery for the purposes of raising money to construct a new jail. In 1932 the people of Vancouver voted by a margin of 25,000 to 9,000 to have a public lottery. On Feb. 14, 1934, the Trades and Labour Congress of Canada officially endorsed the concept of a public lottery when they said:

> In view of the fact that lottteries or sweepstakes exist all over Canada, thanks to different subterfuges, we reiterate our demand of last June that a measure be adopted legalizing lotteries and placing them under the supervision and control of the government.

Also, in 1934, Mr. Speaker, the government of Quebec, through the Legislature in Quebec, passed a bill authorizing lotteries. Eventually that was ruled unconstitutional, but in 1934 they went on record supporting the concept of a public lottery. Also in 1934 the Senate of Canada—that scrap heap of has-beens, was-beens, never-will-be—suddenly took some initiative and passed the lottery bill by about 37 to 20, endorsing lotteries. It was ultimately rejected, however, by the House of Commons.

If you look at Canada today, Mr. Speaker, as has already been pointed out by the member sponsoring the resolution we have lotteries in the Province of Quebec and in the western provinces. They're legally and soundly established, widely accepted by the people in their respective provinces and definitely revenue-producing sources.

In the United States, New Hampshire revived theirs in 1964; New York, 1970; New Jersey, 1970; and a variety of the states of the USA now have lotteries. If you travel today in Europe, Mr. Speaker, you will see that almost every country in Europe has a national public lottery. In South America, virtually the same thing applies. In most parts of Asia and Africa they have national public lotteries and, to go down under, New Zealand, for example, and Australia are both known for their lotteries.

A variety of options can be chosen, and when this is brought in, whether it's brought in as a trial balloon or as an actual bill, I would like to know eventually what kind of lottery the government has in mind. If they're bringing in lotteries I would hope that they would be sufficiently flexible to incorporate a variety of options as mentioned; the monthly, the bi-monthly, the weekly and the daily.

I understand the daily lotteries in both Quebec and New Jersey have proven highly successful—in New Jersey possibly because of the particular crime problems involving

the numbers racket. But in the Province of Quebec the Mini-Loto has been extremely successful and I would think in Ontario, especially in my riding with the heavy working class concentration, the Mini-Loto, Ontario style, would also be very well received.

I note that in the State of New Jersey they've raised $102 million from Jan. 1, 1971 to June 20, 1972, for a net revenue of $25 million, on the daily 50 cent lottery. Massachusetts has raised an average of $11.80 per capita with their lottery. New York State in 1972 raised over $72 million, and they've expanded their lottery since. Connecticut raised $12 million in the first nine months of 1972; Massachusetts, $22 million; and as has been pointed out, the Province of Quebec has raised over $100 million.

So, Mr. Speaker, I wholeheartedly endorse the idea of lotteries. I think the Province of Ontario for a long time has somehow submerged itself in a cocoon of Victorian puritanical morality, while at the same time it bred disrespect for the law, hypocrisy and all sorts of double-dealing. The same concept that applies to the liquor laws of Ontario I think applies to the gaming or gambling laws of Ontario.

If a lottery is to be brought in, though I would like some questions answered—and I think the public are entitled to certain answers as well—regarding the administrative structure, the appointment of the people to administer this lottery, the question of frequency. Would the lotteries be held on a daily basis, a weekly basis, a bi-weekly basis, a monthly basis? Who would be allowed to sell the tickets? Would non-profit organizations have a role in this?

I would certainly hope that if we had a provincial lottery there would still be room left for private community organizations, non-profit organizations, to have municipal or regional lotteries as well. It seems to me we can still have the two at the same time.

I would also call the attention of the member to the system used apparently in New Zealand whereby when people deposit money in the bank, for each dollar saved they're given a number and at certain times of the year their draw is based on the amount of money accrued through interest. This way, nobody loses any money; everybody wins one way or another. I would ask the government to take a serious look at New Zealand's system of state lotteries.

I would also hope that when the system is devised that we would have a maximum set for expenditure for promotion and prizes. I would hope also that we would come up with possibly a better idea, and that instead of necessarily giving money for edifices like swimming pools and arenas, if we're having lotteries we possibly consider that we help the people in Ontario who need it most. It seems to me a swimming pool is not considered a necessity—a nice recreational feature, yes; a necessity definitely not.

I notice in New Hampshire that 42 per cent of the earnings are retained; in New York it's 45 per cent; in New Jersey it's 30 per cent. So I would hope that we set very rigid criteria as to how much money is to be kept from the lottery and where it is to be spent.

I say again, I would like to ask the government to consider the role of private lotteries in this whole concept of state lotteries, but I do wholeheartedly endorse the concept of public state lotteries; and I would hope in 1975, election or no election, that the Province of Ontario introduces such a lottery. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Humber.

Mr. N. G. Leluk (Humber): Thank you, Mr. Speaker, I want to commend the hon. member for London North in his submission of this resolution to the House providing for the establishment of Ontario-sponsored lotteries. I think the timing of the resolution is excellent in that the Ontario government is at present undertaking a comprehensive policy ananlysis regarding the benefits and disadvantages of establishing a province-wide, government-sponsored lottery.

While I do not possess full knowledge of the in-depth considerations regarding these benefits and disadvantages, I think it is safe to assume that this comprehensive study would include not only economic considerations, but also moral, ethical and psychological factors. I would hope that the policy-makers are addressing themselves to the problems of timing, the size of winnings, the number of tickets to be issued, the general administration and management of any lottery system, and the organizational structure to be adopted for housing this lottery approach.

I also hope that the policy-makers of the lottery issue will examine the impact of a provincially-sponsored lottery in competition with the existing number of lotteries sponsored by charitable, religious and municipal organizations throughout the province.

The historical debate, either for or against the establishment of state-sponsored lotteries throughout the world, has been a long and at times emotional process. Lotteries have formed one of the major techniques of legalized gambling since colonial times in the United States. In order to legitimize and make more publicly acceptable the concept of gambling, state governments in the original 13 colonies resorted to a number of worthy and humanitarian causes for which the moneys derived therefrom would be used. Certainly lotteries have helped in the founding of educational institutions such as Harvard and Princeton universities.

However, corruption and scandals over the administration of lottery schemes in the latter part of the 19th century brought the lottery concept into considerable contempt and eventual demise. Congress legalized, through various Acts, the abolition of the lottery as a money-raising venture. It was not until 1963 that the state government of New Hampshire legislated its revival.

Canadian provinces do not share the same historical experience with American states over lottery schemes. That does not mean to indicate total absence of interest on the part of the provincial or national legislators regarding the lottery issue. On the contrary, debates have exhibited an intensity and a passion comparable to the pros and cons of conscription in World Wars I and II.

During the great Depression, Ald. Trepanier of Montreal argued that lotteries would be useful to finance hospitals and vacation camps and even to provide moneys for relief to needy families. Mr. Trepanier made it very clear he had never gambled except to buy an occasional Irish Sweepstake ticket.

During the early Thirties a number of parliamentarians introduced various bills advocating the establishment of a lottery. The central council of the Trades and Labour Congress of Canada in 1934 argued for one overall national lottery, rather than nine provincial ones.

The policy questions which I raised earlier need to be seriously considered before any lottery venture in Ontario is established. The basic rationale on behalf of lottery advocates, that Ontario must become involved, is mainly a financial one. These advocates argue that over an estimated $100 million in capital raised by other lotteries of foreign countries and other Canadian provinces has left Ontario. Ontario, by having its own lottery, they argue, would reverse this outflow of capital so moneys raised by an Ontario lottery venture would remain within the province for the benefit of all Ontario residents.

These same people also contend that the larger number of existing lotteries is in certain ways seriously undermining public confidence in lotteries or at least has the potential to do so because some organizations sponsoring lotteries will be unable to meet their sales targets or their promised prize obligations.

My major concern centres on the role of these existing lotteries to compete in the face of an Ontario government-sponsored scheme. Does it mean that the many worthwhile lotteries sponsored by numerous charitable and humanitarian organizations in the province will be completely phased out? If so, is the revenue produced by a larger lottery scheme to be used to finance the source of funds presently used by these organizations?

I think that it is most important that some accommodation be made within the province-wide-operated lottery framework for these most worthwhile operations to continue within certain areas and regions of Ontario.

This financial rationale of many lottery advocates for the immediate establishment of an Ontario lottery can raise unrealistic expectations about the size and the future potential of revenues to be derived from a province-sponsored lottery scheme. We must not be overawed with the prospect of using revenues of any lottery venture as a solid substitute for a broadly-based tax. I believe the members for Perth and Stormont both touched on this.

The New Hampshire experience of raising more than $5 million to finance state school districts, and the tremendous success of Olympic lottery Canada, in no way can guarantee consistent and stable amounts of revenue to be raised through the operation of lotteries.

One of Canada's lesser known folk heroes originated a story of the gambling partners marooned in a little river town a few years before the Civil War. He apparently found a faro game—for members who don't gamble, this is a card game—and began to play. His partner urged him to stop. "The game is crooked," he said. "I know," he replied, "but it's the only game in town." Certainly a province-supervised and administered lottery would be honestly and efficiently operated.

Mr. Foulds: Not by this government.

An hon. member: Hey, hey now; just a minute.

Mr. Leluk: Well I won't agree with that, but as our folk hero suggested, it could become the only game in town. Supposedly the myth is continually perpetuated in assuming that a state-administered venture would help to drive out the underworld from its total dominance of illegal gambling. To assume such an attitude is being naive to the ultra degree. Lotteries will still have to compete with the underworld because the latter can offer extended credit, runners to place bets and the opportunity to conceal earnings from gambling. The legitimatization of lotteries will not drive the credit sharks from the temples of a thriving enterprise.

One basic consideration concerns the impact of lotteries on low-income families. I believe the member for Stormont touched on this. In the jurisdictions which have these lottery ventures at present, from my own experience or research, I could not find any substantial study which demonstrates clearly the financial impact of this form of gambling on low-income families. The Family Services Association of Greater Boston estimates that gambling addiction figures prominently in about one out of every 20 marriage counselling cases. That is the closest in terms of statistical data which I could find.

Such studies may exist, and I would strongly recommend that if the provincial government moves to legislate a province-wide lottery operation, that social research would be immediately undertaken to determine what effect any lottery system would have on low-income families. Perhaps this is arguing for locking the barn door after the horse had escaped; however, it is a beginning and I feel this is absolutely essential.

Whatever form the new lottery venture assumes, I think it is important that it does not necessitate any large bureaucracy to administer and manage such a lottery operation successfully. The experiences of New Hampshire and New Jersey indicate that existing government agencies can be used successfully for the distribution and marketing of lottery tickets. I don't think there is a need for an independent lottery commission or agency to be established in order to carry out this task. It would be better to have a small lottery section for this purpose, within either the Revenue or Consumer and Commercial Relations ministries.

On the matter of distribution, the question has to be raised: Should tickets only be distributed to government liquor stores and the like or should a wider distribution system be adopted in order to raise the greatest amount of revenue from the lottery scheme? Should lottery revenue be specifically earmarked for certain charitable, research or educational functions, or should all such funds be put into the general consolidated revenue fund? These and other matters have to be seriously studied before we rush headlong into establishing a lottery system for Ontario.

In closing, Mr. Speaker, I would like to say that the concept is a good one, and can be implemented successfully provided the general public does not acquire highly unfounded expectations about any lottery venture. Let's approach the issue moderately and adopt a policy which is both balanced and realistic in its approach.

Mr. Speaker: The hon. member for Windsor-Walkerville.

Mr. B. Newman (Windsor-Walkerville): Thank you very much, Mr. Speaker. I rise to endorse the resolution of the member for London North, that the government of Ontario enact legislation providing for an Ontario lottery sponsored by the government.

We have heard four speakers up until myself, Mr. Speaker, and we all know that all four have endorsed the resolution. I would suggest, Mr. Speaker, you call for a vote on it now and we would save the other 20 minutes and we'd be allowed to go for a meal. You can see it is unanimous on all sides of the House that the government do just exactly what the resolution indicates.

Mr. Young: No, it is not unanimous.

Mr. B. Newman: I would like to bring to your attention, Mr. Speaker, that back in 1962—I just happened to have picked this up out of one of my files—that a particular resolution was passed by the Windsor city council. This goes back in the early days when a dollar was a dollar, not 39 cents.

Hon. D. R. Timbrell (Minister without Portfolio): The member means before Pierre Trudeau became Prime Minister, doesn't he?

Mr. B. Newman: The following resolution was adopted by the Windsor city council on May 16, 1962:

> That the resolution of April 4, 1962, adopted by the inter-service club council urging legislation to authorize non-profit community service organizations to conduct raffles, bingos, lotteries on behalf of charitable purposes be endorsed.

So you can see, Mr. Speaker, the demand or desire to have lotteries by all segments of

our society, including city councils, is a thing that probably goes right back to the first time man set foot on the face of this earth.

At the outset I would like to state, Mr. Speaker, that I don't look upon lotteries as a means of replacing some method of taxation. I don't look upon them as being a substitute for regular taxation. But I do look upon lotteries as being a means of producing revenue, and substantial amounts of revenue. But just as has been indicated by practically all of the speakers, lotteries should never be considered as a substitution for taxation.

Mr. Speaker, back on Nov. 28, 1969, the hon. Leader of the Opposition (Mr. R. F. Nixon) asked the Premier of the day the following:

> Mr. Speaker, I have a question of the Premier. As I recall, the amendments of the Criminal Code permit provinces to make arrangements to have lotteries under the jurisdiction of the province.

So you can see, Mr. Speaker, back in 1969 we on this side of the House were questioning the government of the day as to its attitude and stand concerning lotteries. The Premier at the time, John Robarts said:

> Yes Mr. Speaker, the changes in the Criminal Code will come into effect on Jan. 10. At that time, legislation provides that provinces may license —and there are various classes of lotteries, and so on—provincial lotteries, and may license other bodies for charitable purposes to operate lotteries.

However, the government of the day, Mr. Speaker, wasn't concerned with taking advantage of the opportunity of implementing any type of lottery. Back on Dec. 7, 1972, I asked the then Minister of Consumer and Commercial Relations the following question:

> Mr. Speaker, I have a question of the Minister of Consumer and Relations. In view of the fact that certain provinces do conduct provincial lotteries, and likewise that states bordering the Province of Ontario have their own state lotteries, and hundreds of thousands of dollars of Ontario's funds are being siphoned out by these lotteries, is the province considering conducting its own provincial lottery?

The minister replied:

> Mr. Speaker, I am not aware that the province is considering it.
>
> I should point out to the House that a suggestion has been made to me by a constituent of a neighbouring community that a province-wide lottery might be the answer to some maidens' prayers. He suggested, firstly, Mr. Speaker, that the lottery be run and that the net proceeds used to defray the costs of education; and secondly, when I displayed some interest in the subject, that he have the concession to run it in the city of St. Catharines.

So you can see, Mr. Speaker, that even back in 1972, when the province had the full authority to institute a provincial lottery, they were not seriously concerned.

Back in Jan. of 1973 I mailed out a questionnaire to my constituents. I mailed out in all 21,640 copies and analyzed the first 4,400 of the questionnaires received. The questionnaire read: "Should Ontario operate its own lottery, as do other provinces?" The men replied to the extent of 85 per cent; the women, 83 per cent. The men did not want a lottery to the extent of 10 per cent, whereas 11 per cent of the women did not favour a lottery; five per cent of the men couldn't make up their minds and six per cent of the women did not make up their minds. But, all in all, 84 per cent of the people who replied to the questionnaire were interested in the establishment of a provincial lottery.

Once again, Mr. Speaker, on June 15, 1973, the Leader of the Opposition asked the Minister of Consumer and Commercial Relations:

> Is Ontario going to take a full role [in the national lottery] or are we going to try to maintain a provincial lottery in support of the Olympic Games so that when it all clears away and all the bills are paid, we will maintain a provincial lottery for our own purposes?

The Minister of Consumer and Commercial Relations was not interested at that time in a provincial lottery. He did reply quite extensively, but said nothing that indicated a serious interest other than that he was looking into the whole matter of a province-wide lottery but the province had not made up its mind.

Mr. Speaker, on Nov. 29, 1973, I followed up once again:

> Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations. In view of the fact that the Michigan state lottery has been a tremendous financial success, to the tune of netting some $64 million within the past year, is the minister considering implementing a provincial lottery?

The minister replied:

> Mr. Speaker, it is a matter which is being reviewed by the director of lotteries and his staff. We have not quite decided which is the best avenue to follow. When one does underwrite a provincial or statewide lottery, one must consider the ramifications insofar as those other organizations—charitable organizations—conducting similar activities in the province are concerned. I have had placed before me this very morning a report by the director of lotteries, the contents of which I have not yet examined. It is a matter that he did refer to, so he has advised me, in that particular recommendation he has put forward to me.

We can see that on Nov. 29, 1973, well over one year ago, the minister did have a report from his director as to whether the province should or should not implement a provincial lottery. The minister has had well over a year to decide on that and we would hope the report can come down as quickly as possible, because from all indications we were to have had that report by the mid-summer of 1974. It still has not been presented.

Mr. Speaker, various other speakers have made mention of the tremendous success of the lotteries that have been conducted in various provinces and states in the union, and not only were they financial successes but in many instances they were sort of therapy for a lot of the individuals who bought a ticket. It at least allowed them to dream that maybe for one time in their lives they may become extremely wealthy, and the fact that one does invest some amount of money in a lottery does always buoy up one's hopes and it gives him a different outlook on life.

I don't agree with the member who introduced the legislation when he says that the lottery should come along and the funds should go solely for a fitness purpose. "Go Fitness" or "Fitness Ontario." I think the funds from the Olympic lottery are designated to a good area, but I think the municipalities themselves should decide just exactly as to how their funds from the lottery should be used.

If Ontario establishes a lottery, Mr. Speaker, I would certainly hope that they would follow the pattern set by the Olympic lottery. That is, a certain percentage of the funds be directly returned to the community in which the tickets for that lottery have been sold. I would like to see the municipalities be able to benefit by the sale of the tickets within their municipality. I would like to see for my own community, if they went to the community in that fashion, those funds used for the development of a heart-lung pump machine. Those funds could be used for the development of a burn unit in the community. I think the community should decide what use the funds should be put to rather than the province deciding.

Mr. Speaker, I endorse the resolution. I hope it will lead to some type of legislation, so that we in the province can compete on balance with the states around the Province of Ontario, as well as other provinces that are adjacent to ours. It's time Ontario got into the 20th century.

Mr. Speaker: The hon. member for Yorkview.

Mr. Young: Mr. Speaker, first of all I want to congratulate members on the amount of research that has obviously been done here this afternoon on this whole issue. I've been precipitated into this debate by the whip within the last five minutes. All I can do is raise a question or two perhaps.

Mr. H. C. Parrott (Oxford): He pulled rank on the member. I don't think it's at all fair.

Mr. Young: That's right; so here I stand.

I did gather, however, last night on the CTV Fraser Kelly show that the government has already made up its mind there is going to be a provincial lottery. The Minister of Consumer and Commercial Relations was on. When he was asked the question, he did hedge just a bit. He didn't say: "Yes, we're going to have it." But he did indicate the study was pretty well done. The only question left now was the timing as to when it was going to come.

I presume this is a kite-flying expedition on the part of the hon. member this afternoon to try to test the waters and find out just exactly how the House feels and the various parties within the House.

I'm not sure I'm one of those who is as enthusiastic about a provincial lottery as some of the others who have spoken this afternoon, Mr. Speaker. For years and years I've been soaked in the idea that you have to work hard to achieve success in any field. That's what I was brought up on; that's the Tory philosophy, no reward without hard work.

Starting from that philosophy, Mr. Speaker, how do you square the idea of getting rich quick with the idea of reward for work? I know the stock market has been a great gambit for the whole idea of getting rich and getting rich without too much effort. But you have to have at least something to start with, Mr. Speaker, to invest in the stock market and you have to do some saving there. A lot of people have become rich, but by and large for every person who gets rich on the stock market thousands become poor. It's a case of taking from one to give to another. That's fundamental philosophy, I suppose, in this kind of a system in which we live.

The question always arises is that ethically right? Is it proper we should maintain a system where you're going to make one person or a half a dozen people or a hundred people rich at the expense of a thousand or a hundred thousand or a million, Mr. Speaker? I just have mental reservations

about that kind of a philosophy in this kind of a land where we do pay homage to the Judaic-Christian tradition, and where we preach one gospel on Sunday and then go out to implement the other idea of rob your neighbour in a legal way if you can; and if you can't do it that way then change the law so you can.

This is the thing which makes me hesitate about this whole thing; the concept of getting something for nothing, the whole idea that if I buy a $2 ticket or a $10 ticket, then at the expense of thousands of others I'm going get rich. That's the whole thing that's behind it. Even though we put a worthy purpose on it, it still doesn't change the fundamental ethical concept.

It comes to this matter which has been raised, that we are going to do this thing for special purposes; for recreation, for education, for improving our health facilities, for installing certain equipment in the community. I think that's, again, fundamentally wrong.

If these things are worthwhile, then as a society we should make the decision that we're going to have these things as a society; and we're going out to raise the funds by each one of us paying a certain amount through taxation for putting these worthwhile things into effect. I would be very afraid, if we are going into a recession right now, as everybody seems to think we are, that we're taking a serious risk in order to build these worthwhile projects. What we do is we separate them from the taxing power of the community, and we say that if these things we want are worthwhile, then we are going to make them dependent upon whether or not the raffle is a success, not upon levying upon our community for these worthwhile things. If something happens, say the recession comes, and we don't sell the tickets, then what suffers? What suffers is these worthwhile projects which we are supporting by the raffle itself. That's why, in many cases in the past, projects that have been based upon raffles have gone down the drain when the raffle itself did not succeed.

Mr. Speaker, I want to say this afternoon that if we as a society make up our minds that we have things that society needs—education, recreation, whatever it may be—then we as a society should not base the fate of those undertakings upon the chance of a raffle.

Mr. I. Deans (Wentworth): Absolutely. I agree.

Mr. Young: We should make them a part of our taxing structure and not just leave them to the vagaries of a raffle fate in the future.

But more than that, the thing that we do—and let me come back again—

Hon. Mr. Timbrell: Let the hon. member be careful; he is going to save that whole bunch around him before he is finished.

Mr. Deans: What is he going to do?

Hon. Mr. Timbrell He is going to save that whole bunch around him.

Mr. Deans: The minister is beyond saving.

Mr. J. E. Stokes (Thunder Bay): Would he have spoken against the resolution?

Mr. Young: I would say that if we are going to have a provincial raffle, and it is obvious the government has made up its mind we are going to have one—then the income from it should go into the consolidated revenue fund, and not be earmarked for these specific things and make them dependent upon it. That's the point I want to make in this case.

Mr. Foulds: A very good point.

Mr. Deans: Excellent point.

Mr. Young: One other thing that I want to point out is that in a province like Ontario, with the great wealth we have in timber and metals and all the rest of our great productivity, we should be taxing the natural resources of this province to do the worthwhile things in this province. When we talk in terms of a raffle to raise money, we are begging the question. We are saying that we haven't any new sources of revenue so we have got to go to this one, an easy one. As a result, we take away the attention of our people from the logical source of revenue in the natural resource sector. We are saying, in effect, that we can raise the money this way; we don't have to tax our corporations, particularly the American corporations, any higher in order to raise the revenue to carry on the work here.

Mr. Speaker, I also want to say a word about this matter of hope. We heard this afternoon that we are giving the guy who buys the ticket a little slice of excitement or some hope that he is going to be a millionaire or that he is going to be rich; so he has the hope for a little while. But for every one that has the hope fulfilled, there are thousands who have their hopes dashed.

I simply raise these questions in connection with this debate this afternoon, Mr. Speaker, to point out that when we go into this whole matter of a raffle, as I suppose we are, we ought to go into it with our eyes wide open, realizing that we are violating certain fundamental things in our society and turning our backs on the long experience of the human race in its struggle toward better and better societies for the future.

I ask this House to seriously consider these things, and before we rush headlong, pell-mell, into raising money this way, let us make mighty certain that we have exhausted all the other sources of income in a rich province like Ontario.

Mr. Speaker: This completes this order of business.

It being 6 o'clock, p.m., the House took recess.

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No. 154



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Monday, December 16, 1974

Evening Session

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Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Clerk of the House: The 13th order, resuming the adjourned debate on the motion for second reading of Bill 176, An Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario.

ONTARIO HERITAGE ACT
(concluded)

Mr. Speaker: The member for Ottawa Centre had the floor when we were last discussing this bill.

Mr. M. Cassidy (Ottawa Centre): Thank you very much, Mr. Speaker. I had some opportunity to look at the legislation in more detail during the course of the break between 5 o'clock and now. It simply leads me to reiterate my request to the minister that he put this legislation out into standing committee and that he delay the passage into third reading until January so that a great number of heritage groups can look at the legislation and can comment on it.

I haven't even had the chance to read through in its entirety a very interesting report called "Our Heritage." This is a report of the mayor's committee on our heritage submitted to Ottawa city council by the heritage committee there under the chairmanship of R. A. J. Phillips. Mr. Phillips is now the director general or the chairman of Heritage Canada, which is the federal counterpart to the Ontario Heritage Foundation.

I would bring to the minister's attention that Capital for Canadians, a group in Ottawa —also, as it happens, under the chairmanship of Mr. Phillips—has prepared a very interesting report as well. It is not just about the subjects contained here, but also provides an overview of some of the methods that are used in other jurisdictions; not only in preventing the destruction of heritage buildings, but also in providing economic means to compensate owners of heritage buildings from their loss of development rights or from the extra costs of preserving or conserving or rehabilitating heritage buildings, which, as I was saying before the break, is a very real problem for them.

I've also had the chance to look through parts but not all of the final report of the Ministry of the Treasury, Economics and Intergovernmental Affairs on the programme for conservation of buildings for historic or architectural value in Ontario, a report which came out about a year and a half or two years ago. Again, without being able to read through the whole thing in the time which was available, I find that there are some significant departures in the minister's programme from what was recommended in this particular committee that was working for the ministry in consultation with a large number of groups interested in Ontario's heritage and its history. That consultation took place as a result of the preliminary report on the programme of conservation of buildings of historic and architectural value.

Let me come now, Mr. Speaker, to some of the real weaknesses that I think exist in this bill. They are sufficient, in fact, that the member for Port Arthur (Mr. Foulds) and myself are almost tempted to suggest that we actually oppose the bill. We've decided that we will support it, that on balance there are more good things in it than bad things, but there are some very serious weaknesses in it.

The report to the government suggested there should be a power of designation to historic buildings at both the provincial level and at the municipal level. It suggested in the case of the province that the minister or whoever did the designation would designate buildings that were of outstanding historical or architectural significance for the province as a whole. A building such as the St. Lawrence Market here in Toronto presumably would fit under that category and maybe the Ottawa Teachers' College. On the other hand, a building like the Jamieson House in Renfrew, over which there were questions in the Legislature recently because it was threatened by demolition for the Ministry of Transportation and Communications project, would be considered to be of local significance.

The recommendation was that buildings of more local architectural or historic significance would be designated at the local level by the local municipality. What the ministry

has done in this bill, however, has been to omit the powers of designation at the provincial level in all their important aspects. I would draw the minister's attention to the bill. I assume that he is aware of the weakness in the bill, but at least I'd like to draw his attention to it.

Under the powers that relate to designation in part VI of the bill, section 52, the minister has got the power to designate a property to be of archaeological or historical significance. Once that designation takes place, it is then open to the minister, in fact, to actually refuse any alteration or any demolition in the property that is so designated.

So far so good; but what I would draw the minister's attention to is this, that in the definitions of section 47 in part VI, a property which can be designated by the minister means "real property but does not include buildings or structures other than ruins, burial mounds, petroglyphs and earthworks."

I think it is a serious weakness in the bill. I think the minister will agree that Ontario's history is contained in more than ruins, burial mounds, petroglyphs and earthworks and that it is really quite irrational for a minister to have a power of designation on an historic building after it has been put into ruins, but not to be able to designate it before it becomes ruins.

I would suspect that the ministry had in mind the feeling either that it wanted to weaken this legislation overall or that in a positive sense it felt that the municipality should have the first role to play in the designation of historic buildings. With that we don't really disagree. But there is no reserve power given to the ministry to step in in the case of a threat to structures which are of outstanding historic or architectural significance to the province as a whole.

The minister simply can't step in at that point, apart from using the power or the funds of the Ontario Heritage Foundation to actually expropriate or purchase the property. In some cases, of course, the demolition may have taken place before the Heritage Foundation can get itself into gear.

It seems to us, Mr. Speaker, that the minister, as the person in government responsible for heritage, should have the power to designate where he considers a property to be of outstanding provincial significance and should therefore be able to step in in cases where a local municipality refuses to accept its responsibility or is simply unaware of it. The ministry should be there, both because certain properties are too outstanding to lose and also because some municipalities are going to refuse to accept the responsibilities that the ministry is trying to give them in this particular bill.

It seems to us that the ministerial power to designate is needed for a second reason, Mr. Speaker, and that's this: As we sat during the break, wondering about the powers of delay that are provided for municipalities when a demolition threatens an historic or a heritage building, we asked ourselves what one does if the owner is intransigent and won't talk with the municipality to find other means of preserving heritage. What does one do? Mr. Speaker, we grappled with this one, suggesting that maybe the municipality should just have a final and binding order to refuse demolition permits. Finally, it seemed to us that what made the most sense would be this—

I'm sorry, Mr. Speaker, there are other people speaking here. Do you wish to listen to them?

Mr. Speaker: I just hear the general background noise. Would the member continue, please?

Mr. Cassidy: All right. I just thought there was some competition, and it was a bit difficult.

Mr. Speaker, a municipality has the power to delay a demolition by 180 days, and no more. We think that the minister should be able to step in and designate a property where it is of outstanding historic or architectural significance in the province, and that if the demolition request continues, the minister, as the political agent responsible for heritage, should then have the power after the review procedure that is laid out here to absolutely refuse the demolition.

We don't think that irreplaceable properties of outstanding significance should be under the threat that exists right here. So for that reason as well we believe that there should be a provincial power to the minister to designate properties so that he can back up a municipality when the municipality has come to the end of its tether and simply can do no more.

I have an example for the ministry. I mentioned the Rideau Convent in Ottawa before. If the ministry had come in and had been satisfied, on the advice of the advisory board or of the review board or whatever, that this was a property of outstanding architectural significance in the province, which it was, then the ministry could have said that as far as the oldest part of this convent is con-

cerned, it would refuse the demolition. Then from that point forward negotiations could have been undertaken with the owners of the property in order to ensure that they could redevelop the rest of the property while preserving the areas of the greatest historical significance. But that power was lacking and the Rideau Convent is now a matter of drawing and photographs and models. It is physically no more.

Mr. Speaker, the next thing that worries us is the fact that a municipality which seeks to block alterations of an historic building which has been designated has ample powers; in fact, it can ultimately refuse completely. A municipality which seeks to block demolition can do so for 180 days. That is the kind of period used in other jurisdictions in order to permit the Heritage Foundation, the municipality, various private groups, service clubs and the owner himself to try and work out how to save that building. However, where a property has been designated and the owner applies for a demolition permit, the municipality can shortcircuit this whole process by simply agreeing to the demolition permit.

I would urge the minister that it is again rather irrational to instruct, as the legislation does, a municipality to repeal its designation bylaw on a building which has been demolished after the demolition permit has been granted, and then, in fact, to open up a procedure by which the de-designation is subject to an appeal process and a hearing before the Conservation Review Board, but not to allow any of that kind of an appeal process where a municipal council decides for various reasons that it will grant demolition of a property that people thought was protected because it was designated as a heritage property.

We would recommend, and I hope that the minister will seriously consider it, that where a municipality proposes to permit demolition of a heritage property which has been designated, that that decision be advertised in the local press for 30 days, and that if there are any objections that the objections then be heard before the Conservation Review Board. In other words, we recommend that the same process be gone through as would have been gone through if the municipality had sought to repeal the historic or heritage designation of that particular property, and I am glad to see the minister is making a note about that.

We have misgivings about the anomaly that exists between the powers of municipalities over alterations and their ultimate lack of power over demolitions. But where a municipality suddenly decides to play ball with the property owner, we don't think that the public should be left in left field with no other recourse when they can see a piece of their heritage, which had been designated quite possibly after a set of hearings, suddenly going down the drain.

Mr. Speaker, the National Trust in England is at arm's length from the government. It's a private, non-profit body which performs many of the same functions as the Ontario Heritage Foundation, but it is not a Crown corporation and it does not have to accept instructions from whatever ministry is responsible for heritage preservation. It accepts donations; it makes money from the half-crowns that people pay to go in to see buildings and so on. But it also has the powers to expropriate.

It doesn't make sense to us that a municipality be granted powers to expropriate under this particular Act, but that the Ontario Heritage Foundation does not have those same powers, particularly when, unlike the National Trust in England, the Heritage Foundation is clearly an emanation of government, because the minister makes the policy, and any actions of the Heritage Foundation will be taken with the approval of the ministry or not at all. I must say that I personally miss the creation of some kind of historic advisory board to help the ministry in its choice of properties to designate. And I wonder if that shouldn't be considered in the course of the bill.

The final thing that I'd like to say, Mr. Speaker, is this: that while a good deal is done at the municipal level in this particular bill, the basic economic problems of an owner of a heritage property are not really confronted. There are a number of techniques that have been used, or developed, or proposed, in Ontario and other jurisdictions, in order to permit the transfer of development rights from an historic property to other properties in the vicinity. The minister, I know, has seen proposals to this effect. It seems to me that they are quite well founded and ought to be looked at very carefully.

In very simple terms what it means is that the development rights on a property which is designated as a heritage property can be sold or can be transfered by the owner to another property, say, within the same block, within the same neighbourhood, within the same area, within the same city; it's even been proposed within the whole province, although we would not accept that.

Let's face it. It costs money in foregone development revenues to preserve a heritage building. The conservation of older property may also be quite costly and this is not fully compensated for, despite the fact that attitudes toward heritage property are changing and it becomes a kind of fashionable thing to have one's office or one's home in a building which is designated for heritage. It seems to me that permission to transfer development rights should have been put into this bill and applied to municipalities so that they had a clear authority so to do.

Secondly, the municipal powers of expropriation of a heritage building should have been extended in order to allow them to do, by compulsory purchase, those things they can do by agreement. I have particularly in mind the question of easements or the question of the preservation of architectural frontages, which can be done by means of an agreement with an owner. When that agreement is not forthcoming, it seems to me that at least it's worth considering that a municipality have the power to acquire the right to preserve the frontage or to acquire whatever easements are necessary for heritage purposes by expropriation in order to reduce the mounts that would have to be paid by the municipality in order to see to the preservation of that particular heritage building.

Well, those are the major points I wanted to make, Mr. Speaker. I would ask the minister again to inform the House of the intentions of the government as far as the Ontario Heritage Foundation itself is concerned; and I would ask him as strongly as I can to agree to put this bill into committee, to agree to give it a bit of time so that the hearings are held in mid-January, rather than this week, and then to see that the bill is passed later in the month of January rather than being jammed through this Legislature in this final week.

Mr. Speaker: Do any other hon. members wish to speak to this bill? The member for St. George.

Mrs. M. Campbell (St. George): Mr. Speaker, I regret I have not had the opportunity to study this legislation to the degree I should have liked. One of the problems which faced the city of Toronto was that they had a local historical board which designated properties. They really didn't dare to designate them publicly, because the opportunities for the city to protect such buildings were so minimal.

I wonder if the minister really believes that the power to expropriate is really meaningful in a city such as the capital city of this province. I would like to say that if we reviewed the buildings which the city considered to rank in priority, shall we say, we would find that the buildings would be virtually prohibitive for the city to acquire without funding being made available for that purpose.

Perhaps I need not allude to Osgoode Hall or to St. James' Cathedral, but there are a good many buildings held by banks and other such bodies which are considered by the city to have priority for purposes of preservation and conservation.

We wrestled with that problem some time ago in trying to determine how we could protect the properties, particularly if a good many of them should come on the market at the same time. There is a need, it seems to me, for funding to be available to enable a municipality to take advantage of the powers of expropriation, because there's no point in having an opportunity to defer if the deferral is not long enough to permit a municipality to plan for this kind of expenditure.

I would hope, too, that under section 28 it would be open to a municipality, for example, to designate an historical board which has been in existence for a number of years to constitute the local architectural conservation advisory committee for the purposes of this legislation, and not to impose upon a city such as Toronto the requirement to either vary, break the continuity of or appoint a new and competing authority within the municipality. I would hope there could be an amendment by the minister which would effect this purpose.

I am afraid I also have to be parochial, if you like, Mr. Speaker, about the fact that again we have here in this legislation exemption from taxation for the foundation itself. I have always opposed and shall continue to oppose provision whereby the province takes upon itself the power to exempt from municipal taxation when it doesn't provide grants in lieu thereof. This has gone too far. It cannot be permitted to continue. It is totally inequitable so far as the municipalities are concerned. It is certainly inequitable when the municipality at the same time, has the best intent in the world—there is no doubt, Mr. Speaker, at this point in time the city of Toronto has the best intent in the world—to preserve and to conserve those properties, including structures, which, in the opinion of the historical board, are worth preserving.

I'd like to point out that one of the trage-

dies in the last few years in the city of Toronto was the very real attempt of the city to preserve what was known as Macdonald House on Sherbourne St., otherwise known as the Tree House. We used every possible means at our command to obtain assistance from the province for the purpose of obtaining that property, either provincially or municipally, because not only did it have some historic significance, but it was one of two properties of similar architecture in the city of Toronto. The province could not see it within its means to support the city in that attempt. The city could not afford the costs of that acquisition and that building has now been lost and became, in fact, a parking lot for the German club on Sherbourne St.

This, I think, points out the difficulties of municipalities, given the pious platitude of the right of expropriation without a fund to which they can look to carry through that particular expropriation. We might see, for instance, the bank—I can't remember its name—

Mr. D. M. Deacon (York Centre): The Bank of Montreal at Yonge and Front?

Mrs. Campbell: On Yonge and Front, that's one, but there's also one which is protected —not on Victoria St.—it was an old Barclay's Bank or something of that kind, which is the one building which still has RCMP officers. I don't know what the significance of that is. But if several of these came on the market at the same time, the city would be placed in the invidious position of having perhaps to choose, in priority, when it would like to have the opportunity to preserve all of these buildings.

There are, of course, privately-owned buildings in the city which the city has wanted to be able to acquire. Not only did they lack the funding for capital purposes, but the historical board did not have the funds, if the buildings were acquired, to renovate them, to preserve them, to conserve them, and, therefore, that was something which faced the municipality at the same time.

It may be, Mr. Speaker, that because of the very inadequate review which I have made of this statute I have missed something there, but I could not locate anything which gave comfort to a municipality in finding the funding to assist it in that sort of restoration and that sort of conservation.

We have to remember that the historical board in Toronto has vested in it all of the powers and all of the responsibilities and they are engaged in trying to preserve the house in High Park, the William Lyon Mackenzie house, the marine museum and so on. These carry ongoing costs. They are engaged in trying to obtain acquisitions of purely historical value for the various functions that they now have. I do not feel, subject to what the minister may say, that there is adequate assistance given to a municipality to carry out all of these functions. I would invite the minister, if he would, to indicate where such funding is provided and, if it is not, how he proposes that a municipality will be able to function.

Unlike the member for Ottawa Centre, I don't feel the problem with the municipalities today is a lack of desire to conserve or preserve. It is the lack of funding, and particularly where they have to establish, very sadly, priorities, because they haven't local funding; nor can they function in a deficit financial position. Thank you, Mr. Speaker.

Mr. Speaker: The member for High Park.

Mr. M. Shulman (High Park): I would like to enter this debate briefly—

Mr. I. Deans (Wentworth): We want the member for High Park to stay. We are taking the party line. Will he please stay if we applaud loudly?

Mr. Shulman: I would like to address the minister, as I am one of the two people in this House who had any personal dealings with the Ontario Heritage Foundation, the precursor of the group that the minister has coming up now. A more inept group I have never had the pleasure of dealing with in my life.

Mr. F. Young (Yorkview): Tell the member for Ottawa Centre to get over here.

Mr. Shulman: I must say the member for Bellwoods (Mr. Yaremko) had perhaps a better experience—I would like to get the attention of the minister, because he should profit by this.

Mr. J. E. Stokes (Thunder Bay): Will the member for Ottawa Centre take his seat, please?

Mr. W. Ferrier (Cochrane South): He has had his chance.

Hon. J. A. C. Auld (Minister of Colleges and Universities): It is great to have such influence.

Mr. Shulman: It was some mystery to me, Mr. Speaker, why the Heritage Foundation hadn't grown, because they had every-

thing going for them. They had the opportunity to give wealthy people huge deductions in their income tax, and we have had at least one example of that in this House. They could take art objects and hold them as well as buildings, land and other things, in trust for the people of Ontario. They were able to give a tax advantage that no one else could give. If someone wanted to give a donation to the art gallery or the Royal Ontario Museum they could deduct only up to 20 per cent from their income, but if one gave to the Ontario Heritage Foundation, one could deduct up to 100 per cent from one's income—a tremendous advantage.

So when I had my own personal little experience with them I thought: "Well, isn't that nice." It was very lovely. I gave them a little cart—Chinese cart, I think it was—and everything went through smoothly, with no problems. As a result of that I thought I would like to look at their annual report. As you recall, Mr. Speaker—

Hon. Mr. Auld: I am all ears.

Mr. Shulman: Well, give me half an ear.

Mr. Deans: The minister is going to have to be all ears, listening to two people at the same time.

Mr. Shulman: I asked to see their annual report, which of course the Act said they had to bring in every year. It turned out there was no annual report; they had just been too busy for five years to bring out the annual report. The minister may recall I called him—or was it his predecessor?—and asked what happened to the annual report of the Ontario Heritage Foundation. The minister said they hadn't got around to it for the last five years, but that he would get them all out in a hurry. That was very nice; within two weeks I had five annual reports. I appreciate that. That was very good of them to go to work and do them. The fact that it was in the Act and they had to put it out hadn't affected them in the slightest.

Mr. Speaker, I want to tell you of an experience of a friend of mine who had an absolutely ridiculous experience with the Ontario Heritage Foundation. This is why this Act is going to be a failure, because the group from the Ontario Heritage Foundation are neither knowledgeable in their field nor are they aggressive. Unless the government is going to have both, unless it is going to upgrade the personnel it is going to appoint, it might as well not bother.

An hon. member: Starting with the minister.

Mr. Shulman: I'm going to tell you a story because it's interesting, Mr. Speaker. A doctor in this city, whom I know reasonably well, wanted to make a donation of art which the Royal Ontario Museum was desirous of having. In order to get the full tax donation he decided to donate it through the Ontario Heritage Foundation. I'm not sure what the details of the art were. I believe it was a diversity of art objects actually which the museum had seen and said it wanted.

In any case, he had two evaluations. I believe one evaluation was $40,000 and the other was $60,000 for this collection of art objects.

He called the Heritage Foundation and said: "The museum would like this. I would like to give it through you. Could we make the arrangements?" The Heritage Foundation said: "Fine, no problem. We'll get two evaluations."

They called one art dealer in Toronto. He came up and I believe he said the valuation was $55,000. They called a second art dealer and this is where everything started to go awry. The second art dealer said: "Who was the first art dealer who was up here?" It turned out, unfortunately, the first art dealer was a rival of the second art dealer and anything the first dealer said the second dealer didn't approve of. As soon as the second dealer, who has a shop on Church St., found out who the first man had been, he decided that whatever he saw was going to be no good. The material was brought out for him to observe and he looked at it and said: "Oh, that's terrible stuff. It has no value whatsoever." He sent in an evaluation to the Heritage Foundation, I believe, of $8,000.

The people at the Heritage Foundation didn't know what to do, so they sort of sat on it for a few months. I think four months went by and the donor was becoming a little irritated because of this absolute silence from them. Finally, he phoned up and said: "Do you want it or don't you want it?" He was becoming quite put off. He couldn't give it directly to the museum because he had already given in excess of 20 per cent of his total income that year to charity.

Mr. R. F. Nixon (Leader of the Opposition): A very, very generous doctor friend of the member's.

Mr. Shulman: I have a number of generous friends. The Liberal Party would be surprised.

Mr. Deans: If he got 75 per cent back on the first $100, he would give it to the NDP.

Mr. R. F. Nixon: I thought he was getting a larger share than that.

Mr. Shulman: In any case, the Heritage Foundation, after some lengthy delay—I believe it was five months—finally flew some chap up from New York. He took a look at this work and he said: "About $8,000 would be right," and he flew back down to New York. This doctor fellow said to me at the time: "I think they're crazy down there." He proceeded to sell this collection of art to a dealer for $35,000 cash.

All very well. The doctor ended up with $35,000 in cash; the museum didn't get its collection of art; the second art dealer had his revenge on the first art dealer; and the Heritage Foundation ended up without the collection.

This, in sum and substance, is why the Heritage Foundation, which has had a tremendous advantage up to now but is about to lose it—and I'll go into that in a minute—has been able to collect such a very small amount. They should have tremendous amounts in their collection by now, instead of which they've got a pittance, a few objects; and all because this story went far and wide through the art world.

People said: "Well they're not really very aggressive and they're not very knowledgeable, when there was a cash offer on hand which they were aware of." They worried, they hedged and they hesitated. They never said no; they never said anything. They just waited, so they didn't get it.

That's the situation up until now. What's going to happen now? Mr. Faulkner down in Ottawa has a new bill on the floor of the House right now which is going to take away the advantage of the Heritage Foundation. Starting Jan. 5 or 6, they aren't going to have this tremendous 100 per cent advantage any more, because every public art gallery and every public museum in this country is going to be able to give that same 100 per cent deduction. I'm willing to predict to the government that a year from now, after they have been merrily in business with the wonderful new Act, but without the advantage they've had up to now, they will have brought in next to nothing and government is going to waste its money on them.

The only thing they are going to get from here on in they are going to have to buy with our money, because they are just too tough to deal with and they are just not anxious enough to have the art objects. They wait too long; they pussyfoot around and they irritate the people who are trying to give them things. So why should anyone give them things? Starting in just a few weeks we don't have to go to the Ontario Heritage Foundation; people can call up the Windsor Art Gallery, the Royal Ontario Museum, the Toronto Art Gallery—

Mr. J. F. Foulds (Port Arthur): Thunder Bay Historical Museum.

Mr. Shulman: —or the Thunder Bay Historical Museum. I'm going to make a prediction: Unless the minister changes the personnel there completely, or at least lights a firecracker under them by bringing in some more aggressive personnel, this is all going to amount to nothing.

Mr. R. F. Nixon: The new chairman is a great firecracker.

Mr. Shulman: The new chairman? We had to find him a job so that he could get Mr. Benoit in here, but those things happen.

Mr. E. W. Martel (Sudbury East): Both ways they lost.

Mr. Shulman: If the minister expects aggression from Bert Lawrence! He's a lovely guy, but the minister is not going to get it. He's a sweet, lovely fellow; and he'll go and sit down there with Larry Ryan and they'll have coffee together and they'll sympathize with each other and it will be beautiful.

Mr. Martel: They could even cut sugar cane.

Mr. Shulman: But we are not going to get any art objects for the people of Ontario, because neither of them is very aggressive. They're lovely people. I like them both and I would have them both in my home, let me say that. Sweet, lovely gentlemen, gems; but not for the Ontario Heritage Foundation, because starting now they will have to compete and they are going to have to compete with different foundations and different museums and different art galleries right across Canada; and they don't have the gumption down there to do it and they are not doing it. This foundation is going to be a failure and that's why.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not the hon. minister.

Mr. R. F. Nixon: I just want to say, Mr. Speaker—

Mr. Speaker: Yes, the Leader of the Opposition.

Mr. R. F. Nixon: I want to have an opportunity to express a view on the bill.

Mr. Stokes: He is not a donor, he is a collector.

Mr. R. F. Nixon: Right, and I'm not even going to recount to you, Mr. Speaker, the experiences of a farmer friend of mine.

Mr. Martel: He tried to give a cow away.

Mr. Deans: No, he tried to get rid of a live bull.

Mr. Foulds: He tried to donate an historic farm.

Mr. Stokes: He doesn't give or collect, he just spreads.

Mr. R. F. Nixon: But I do want to say that I wish the minister great food fortune with the newly reconstituted and revivified council. My particular interest deals with historic buildings and I would trust that the many groups that have come to the fore in communities across this province in attempts to save the historic buildings are going to have much more assistance than they have had in the past.

I would say that the very establishment of the Ontario Heritage Foundation—what now, seven years ago; quite a long time really—was quite an attractive concept when we first heard about it from John Robarts. Many of the people who are interested in the preservation, of the pre-Confederation buildings particularly and other buildings, thought finally something was going to happen; at the behest of the government of Ontario there was going to be some money. Well there wasn't then, but there is going to be now. There is going to be some initiative to come to the assistance of those groups of people at the local level who have often suffered the most severe embarrassments in their attempts to save buildings of historic significance.

Naturally they tend to attempt at least to ally architects and others to support their concepts that the buildings have architectural significance. But sometimes that is not always possible. Sometimes they are simply dealing with an old building that is still functional, that is still at least architecturally sound, if not of architectural significance—and they tell me there is a difference. In fact they are trying to save the local municipality, the governments at all levels, money by keeping the wrecker's ball away from the destruction of these buildings which have been built at government expense in the past.

Mr. Foulds: A very carefully modulated phrase.

Mr. R. F. Nixon: I thought perhaps the member would appreciate it, in his sensitivity.

Mr. Deans: What did he do at the weekend?

Mr. R. F. Nixon: Mr. Speaker, I was quite interested to read in the Simcoe Reformer, a paper that I'm sure you read frequently, about the attempts of the local community organization to save the jail and courthouse facility down there. There has been no attempt on the part of the government to be of any great assistance. I would presume that unless something is done, those people—in the name of efficiency; the replacement of old buildings with new—are going to have their way once again.

In the community of Preston, now called Cambridge, when we talk about the preservation of historic symbols and names, of significance surely is a great, old limestone schoolhouse. The committee is working for the preservation of that building. I haven't heard of the Ontario Heritage Foundation giving any kind of assistance.

One of the things that surely is going to be necessary is to have some experts who are going to be able to assess the values of buildings, not simply for their residual qualities as public buildings—to put in offices for the time being and so on—but to come to the assistance of groups of local citizens. Over the last decade, we have seen some of our best old buildings—not all of them with historical significance—being torn down for parking lots and finally for the erection of something at the behest of the Minister of Government Services; probably a liquor store, or something of real value and utility such as that.

So I hope that all of the objets d'art that the government can possibly buy from the doctor's friends will be looked after, and we will have storerooms full of these objects of great value, as I'm sure they will contribute.

I sense that the real value and the real mission of the Heritage Foundation is, in fact, to deal with our own heritage. I would trust that the initiative will be there—whomever the chairman may be, whether he is a nice guy or not—and that there will be funds there, and instructions that as a matter of policy they are to come, at least with professional advice if not the financial assistance, to the aid of these inumerable citizens' groups which feel some of the best architecture, some of the finest old buildings with substantial utility remaining, are being lost to us in the fulfillment of the concepts which I believe have been taught by this ministry or its predecessors over the last 25 years, that really, big is best and new is better.

I think the minister, coming from Brockville as he does, with his antecedents in Wellington county, would have as much appreciation for those old limestone buildings as anyone. I hope he can convey to the members of the Ontario Heritage Foundation that this House is prepared to support them when they take the initiative, and spend the money to preserve our Ontario heritage in the manner that I have most ineptly described it to members tonight.

Mr. Speaker: Do any other hon. members wish to speak to this bill? If not, the hon. minister.

Hon. Mr. Auld: Mr. Speaker, I have listened with a great deal of interest to the comments of the members opposite. First of all, let me say that I do apologize that the bill was printed and available only on Friday. Although I must be honest and say that I had hoped to have it in the House a little earlier, but not a great deal earlier, for the very good reason that the advice that I have had—both from my staff and the groups that we have talked to—has been to the effect that we didn't want the bill sitting on the order paper for months because this might encourage people to tear down structures, which they might otherwise not do.

Mr. J. R. Breithaupt (Kitchener): Two weeks though, surely.

Mr. Cassidy: Two weeks would have been reasonable.

Mr. R. F. Nixon: That is the conspiratorial theory of government.

Mr. Cassidy: Two weeks would have been reasonable when the minister has been waiting for three years.

Hon. J. R. Rhodes (Minister of Transportation and Communications): Oh, shut up. Let him finish.

Mr. R. F. Nixon: I just came back from the Soo, and the Minister of Transportation and Communications is on the ropes there.

Mr. Speaker: Order please.

Hon. Mr. Auld: I was going to inform the Ottawa member, who couldn't hear because of other discussion. I'll be delighted to sit down until he finishes.

There is some concern. There are one or two situations I am aware of in the province that are of some urgency. But I certainly will not attempt to ask the House to go into committee this evening; although members might look at section 30, which indicates the situation where demolition permits might be issued in a short time.

I'm particularly delighted, Mr. Speaker, that all the members who have spoken have been in favour of the bill in principle. As I detect the thread, it's really that we should be doing even more.

I do think this is landmark legislation in the sense that it is the first time it has been done to this extent in this country. Quebec has a somewhat different approach. Other jurisdictions elsewhere, with more experience, have done various things that have been effective. I think, without a doubt, we will have amendments, perhaps next year. There are some things we are still looking at that we have not yet been able to resolve in either a legal or a policy sense.

If I may, I'd like to deal with one or two of the points raised earlier by some of the hon. members opposite.

First of all, the hon. member for Kitchener was curious about the role and status of the chairman. I can simply tell him that it is not envisaged at this point in time that it will be a full-time responsibility. Whether or not the chairman and the members of the board will be compensated on a per diem basis, by an annual stipend or by some combination, I really don't know.

Mr. E. Sargent (Grey-Bruce): How much money is he getting?

Hon. Mr. Auld: That, as the Act sets out, is a decision for the cabinet on the recommendation of the Management Board.

There is a provision in the Act for restoration as such, rather than simply acquisition or preservation by both the province and the municipality.

There was a question from the hon. member for Port Arthur about the definition of "heritage," which is not defined in the bill. My dictionary says that heritage is what is or may be inherited; and in a simple form it is history. If one looks at the bill and the organization that supports it, the four committees in the foundation, there is one that deals with buildings of architectural and/or historical value; one that deals with history, which is, in effect, the old Archaeological and Historical Sites Board plaque programme; one which deals with archaeology per se, which we have never dealt with except in a very peripheral way under the other board; and one which deals with the fund of the foundation.

It's a very difficult thing to put down any hard and fast rule as to what is an historical structure or an architecturally important structure. To some degree, it is subjective, and that's why we propose to have people on the board with competence and expertise in these fields.

The hon. member for Waterloo North (Mr. Good) raised the matter of compensation for designation or a loss of business where a property is designated as an archaeological site. There is provision in the bill for loss of business compensation to the owner for loss to him of the income he would have received from that property if it is designated for a period of up to 180 days, as set out in the Act, for investigation as an archaeologically important site.

Mr. Sargent: How much money is he getting there?

Hon. Mr. Auld: Well, I just happen to have the answer for that. I am sure the hon. member is most familiar with the estimates of the Ministry of Colleges and Universities for 1974-1975.

Mr. Sargent: Is the minister?

Hon. Mr. Auld: There is an item of $1 million this year for the Ontario Heritage Foundation, which of course will go to the new organization. Of course I can't tell the House what sums will be available next year, but in my optimism I would assume it would not be less and I hope it might be a bit more.

Mr. Sargent: How much?

Mr. E. J. Bounsall (Windsor West): $10 million.

Hon. Mr. Auld: $1 million.

Mr. Bounsall: $1 million.

Mr. Sargent: How much is Bert Lawrence getting?

Hon. Mr. Auld: Some part of that.

Mr. Speaker: Order, please. The hon. minister has the floor, and it's second reading.

Hon. Mr. Auld: I mentioned that the salaries of the chairman and the other members of the board have not yet been established.

Mr. Martel: That should be worth ten grand.

Hon. Mr. Auld: The hon. member for Thunder Bay had concern about the designation or acquisition of the structures in unorganized parts of the province. At the present time Bill 102, I think, is setting up another kind of a municipality which is not mentioned in this legislation.

Mr. Martel: That garbage bill!

Mr. R. S. Smith (Nipissing): It will never see daylight that one.

Hon. Mr. Auld: It may well be that if Bill 102 passes, we will include that; but there is still the situation of other structures which are a long way from 30 people.

Mr. Martel: That is not a bill; it is a disaster.

Hon. Mr. Auld: At the present time the Ministry of Natural Resources has the authority to acquire and to establish historical parks. I would say that is one device that might be used to acquire some of the structures that the hon. member mentioned, if they were found to be of priority at the time. Another method might be for the foundation itself to acquire them. Another thing that would come to mind is that if in fact they are on Crown land, they are probably owned by the Crown at the moment — it would require a little investigating to find out about that.

Mr. Sargent: What a waste of time.

Hon. Mr. Auld: The hon. member for Windsor-Walkerville (Mr. B. Newman) spoke in favour of the bill. I would simply say to him that this legislation will provide a very much enlarged opportunity for municipalities to acquire and maintain structures, or to control structures which they consider to be of importance in their own community. There

is provision for provincial financial support for locally important structures in, I believe, section 10 of the bill.

The hon. member for Ottawa Centre mentioned one matter which I must say I can't give him an answer on at the moment. That was the question of what happens when a building has been designated, and the municipality changes its mind, decides to withdraw the designation and then issues a demolition permit. I will attempt to have a little further information about that for him when we get to the next stage.

The hon. member for St. George has brought up the question of who the city of Toronto might appoint to the local architectural conservation advisory committee. I would simply say to her that the city can appoint anybody it wants to the committee—an existing group or an entirely new group or a combination thereof.

On the question of municipal taxation, I would assume that any municipality which designated a building which was going to be used for public purposes would not tax it, at any rate. The provision that interests this House, I would think, would be that which indicates that the foundation, when it is acquiring a building, is only exempt from taxation when that building is not leased or when it is leased to a non-profit organization. The past pattern of the foundation and the buildings that it has acquired and the policy which we propose to follow in the future is that buildings will be acquired and will be used. Whenever possible—and hopefully the whole time—they will be leased to someone so there will be income coming in to look after the maintenance of those buildings.

Mr. Sargent: Why doesn't the minister dump the whole bill and save a million dollars?

Hon. Mr. Auld: I don't have to mention to the hon. members of this House that the purpose of the exercise is not to acquire a lot of buildings and have them vacant with caretakers. It is to preserve them and still have them used so that we can afford to acquire and to preserve a great many, without a great continuing drain on the public purse.

Motion agreed to; second reading of the bill.

Mr. Speaker: Shall this bill be ordered for third reading?

Mr. Cassidy: Standing committee, Mr. Speaker.

Mr. Speaker: The hon. minister.

Hon. Mr. Auld: Standing committee, Mr. Speaker.

Mr. Speaker: So ordered. Which committee will that be?

Hon. Mr. Auld: The committee of the whole House.

Mr. Cassidy: On a point of order, Mr. Speaker, I think that has been agreed.

Mr. Shulman: He has already ordered standing committee.

Hon. A. Grossman (Provincial Secretary for Resources Development): He didn't carry it yet.

Hon. Mr. Auld: I thought I implied, when we were discussing the question of when it would next be dealt with by the House, that I would prefer that it be dealt with by the committee of the whole House to go in detail into the matters that have been brought up—also having in mind the question of time.

Mr. Speaker: So ordered.

Mr. Cassidy: On a point of order, Mr. Speaker, I just wonder whether the minister would consider some of the points made on this side of the House and put the bill into standing committee, I would have hoped, in January. If he refuses to do that, then would he give it one day later this week so a few of us can get on the telephone and tell groups in Toronto and Ottawa—if they can get out of Ottawa in the snow—to come down if they wish to make representations about the bill?

As the fellow who is the protector of this House, Mr. Speaker, can I just say how frustrating it is to have the Legislature and the legislative process abused by the way the minister is going ahead right now? I would ask for your support—

Mr. W. Hodgson (York North): The member is abusing. He is the one who is abusing the process.

Mr. Speaker: Order, please. The destination of the bill—

Interjections by hon. members.

Mr. Speaker: Order, please. The destination of the bill is at the discretion of the minister; it's quite clear in the orders. He has indicated the committee of the whole House, and that's where it is.

Agreed to.

MOTORIZED SNOW VEHICLES ACT

Hon. Mr. Rhodes moves second reading of Bill 161, the Motorized Snow Vehicles Act, 1974.

Mr. Speaker: The hon. member for Lambton.

Mr. L. C. Henderson (Lambton): Mr. Speaker, I want to make a few—

Mr. R. F. Nixon: Welcome back.

Mr. Henderson: I thought I'd better get up before the Leader of the Opposition got down to Lambton in about three weeks—

Mr. Breithaupt: It's the only chance the member for Lambton will ever get.

Mr. Henderson: —to ride on one of these snowmobiles that we're going to have down there, Mr. Speaker.

Mr. Speaker, a great portion of the riding I represent is good snowmobile country; and I have several people concerned about this bill. There are two or three sections in it that I am concerned about. There's one in particular that I feel is very important and that should be in effect immediately. This is the one whereby we relieve the property owners of any liability in case of an accident.

But now I go to some other sections of the bill that I am more concerned about, Mr. Speaker. In the riding I represent I have 21 municipalities. In the total of these 21 municipalities, there are three municipalities that have a bylaw passed under the old bill. Now, under section 6, subsections (5) and (6), it means these other 18 municipalities that don't have a bylaw at the moment will have to pass bylaws before they can let their own people use their own roads.

In view of this I will let the House know that I do intend to introduce an amendment to subsection (5) of section 6, when we get into committee. It will go something of this nature: "Where the operation of a motorized snow vehicle—"

Mr. Sargent: Is the member for or against the bill?

Mr. Henderson: I'm for portions of the bill and I'm opposed to portions of it.

Mr. Foulds: The member should support the bill as he amends it.

Mr. Henderson: I will be introducing these amendments, Mr. Speaker, when we go into committee.

Mr. R. F. Nixon: This is second reading, Mr. Speaker.

Mr. Sargent: He is hanging on.

Mr. Henderson: Mr. Speaker: "Where the operation of a motorized snow vehicle is not prohibited on a highway—"

Interjections by hon. members.

Mr. Speaker: Order, please.

Mr. Foulds: On a point of order, Mr. Speaker, the member is out of order.

Mr. Henderson: Mr. Speaker, it would appear that the hon. members—

Mr. Speaker: He may refer to any matter he wishes if it's on the principle of the bill. I presume he is.

Mr. Henderson: It is certainly on the principle of the bill, and it's for the good of the people of this province. But it would appear that the hon. members are not interested in the people of this province.

Mr. R. F. Nixon: We haven't passed the bill; how can he put an amendment?

Interjections by hon. members.

Mr. Henderson: Mr. Speaker, the amendment that I—

Interjections by hon. members.

Mr. Speaker: Order, please. The hon. member is discussing the principle of the bill.

Mr. Breithaupt: Show us next week.

Mr. Henderson: Mr. Speaker, the amendment that I propose to introduce in the committee of the whole House—

Mr. Breithaupt: Wait until committee.

Interjections by hon. members.

Mr. Henderson: —will be: "Where the operation of a motorized snow vehicle is not prohibited on a highway under the jurisdiction of a county, district, metropolitan or regional municipality by bylaw passed under subsection (2), the council of such a municipality may pass bylaws—"

Mr. Sargent: I thought he was on the drainage committee, not the snowmobile committee.

Mr. Henderson: —"prohibiting the operation of a motorized snow vehicle along or across such highways or any part thereof."

I also intend to introduce an amendment to section 6, subsection (6), for unorganized territories. This will be for the area that the hon. members over there don't appear to be interested in: "The Lieutenant Governor in Council may pass regulations regulating, governing and prohibiting the operation of motorized snow vehicles upon the serviced roadways in territories without municipal organization."

Mr. Speaker, those are both very important both to the people—

Mr. Foulds: Too bad he didn't do that at the appropriate stage of debate.

Mr. Henderson: —to the people who want the control over the snowmobiles and to the people who want to use these trails.

Mr. R. F. Nixon: He was in caucus when this matter was raised.

Mr. Henderson: Mr. Speaker, as I say again, it would appear the hon. members of the opposition are not interested in the welfare of the people of this province, or they would be interested in my recommendations and what I plan on introducing.

Mr. Foulds: We are interested in the rules and procedures.

Mr. Speaker: Order, please. The hon. member has the right to the floor.

Mr. Sargent: He doesn't even know what snow is.

Mr. Speaker: Order, please.

Mr. Sargent: Come to the snow country.

Hon. J. W. Snow (Minister of Government Services): Has the member for Grey-Bruce got any up there?

Mr. Sargent: Lots of it. We're selling it.

Mr. Henderson: Another portion of the Act that does concern me, Mr. Speaker—I don't have amendments to it, but it is—

Mr. Sargent: That isn't the drainage committee!

Mr. Henderson: If it were the drainage committee, I can assure the member that it would be in pretty good shape and it wouldn't require amendments, Mr. Speaker. The committee would have brought in a report that was acceptable to the populace of this province.

Interjections by hon. members.

Mr. Foulds: Is he showing no confidence in his government?

An hon. member: He's in trouble.

Mr. Henderson: Mr. Speaker, another section of this Act—and I can look at two or three sections—section 14, subsection (1). Under that I take it that it gives a conservation officer the same authority as a police officer. This does concern me, Mr. Speaker, and I would like the minister to take that into consideration when we get to those sections.

Still further in the bill, as I mentioned earlier, section 19 does relieve the farmers and the porperty owners of this province of liability and responsibility, and I think that that legislation should be in effect as of today. I would be disapopinted if there was any—

Mr. T. P. Reid (Rainy River): I thought we saw the last of the drainage committee.

Mr. Henderson: Section 22 also concerns me, Mr. Speaker, and if the minister doesn't have an amendment at the time of the committee for section 22, I will certainly bring in an amendment. It appears very unfair to me, Mr. Speaker, on Jan. 15 that the hon. Leader of the Opposition would have to get my consent to drive his snowmobile over my farm when he comes down to Lambton.

Mr. Shulman: That seems unfair.

Mr. Henderson: I will gladly welcome him out and I will give him authority to go over it.

Mr. Foulds: Can he run over the member for Lambton while he's on the farm?

Mr. Henderson: Mr. Speaker, I would ask the minister and the opposition to consider the amendments I have brought forth tonight. Otherwise I am in favour of the bill with those amendments.

Mr. Speaker: The hon. member for Essex-Kent.

Mr. Sargent: Now you will hear some sense, Mr. Speaker.

Interjections by hon. members.

Mr. E. R. Good (Waterloo North): Now we'll hear some real words of wisdom.

Mr. R. F. Ruston (Essex-Kent): Well, that's a large statement.

Interjections by hon. members.

Mr. Speaker. Order, please. The member for Essex-Kent has the floor.

Mr. Ruston: I would explain, Mr. Speaker, that while the member for Lambton got up to make some points, I would have thought that the chairman of the committee, the member for Durham (Mr. Carruthers) would probably have said something along that line, since he is on the side of the government and was the chairman of the committee and these are their recommendations—

Mr. R. F. Nixon: Where is the chairman?

Mr. Reid: He hasn't even shown up for the bill.

Mr. Henderson: Is the member for Rainy River on the committee?

Mr. Ruston: So I don't know. Maybe it is a powerhouse of the backbenchers — or the weight of the back bench—

Mr. R. F. Nixon: A lot of weight there.

Mr. Ruston: The member for Lambton has a lot of weight in some regards, I have heard —not just physically, in other ways. So maybe he is telling the Minister of Transportation and Communications a thing or two by his recent remarks.

Mr. Foulds: He is after the minister's job.

Mr. Ruston: I am sure that this bill is the result of a lot of study by the select committee on motorized snow vehicles and all-terrain vehicles, and in that year and a half of public meetings and so forth throughout the Province of Ontario and in about 35 towns and cities, we got quite a consensus of what people were thinking.

Probably the necessity for this bill and the necessity for the select committee was really because the government made one awful mistake in the first place by putting a licence on a snowmobile to go on the highway, while the company that manufactured them said it never intended them to be in competition with automobiles. I think probably the mistake could be traced back to there; that was where some of the problems first started, because the family that invented the snowmobile in Canada—Bombardier—told us while we were in Quebec touring their factory and watching their snowmobiles being made, that they never really intended them to be in competition with the automobile, because they knew that there wasn't a chance for a rider on a snowmobile matched against an automobile.

Of course, the Province of Quebec, it being a province that looks ahead, could see what was going on, and it did see that snowmobiles were put in a place that they could use. They had hundreds of miles of properly serviced trails. I recall being outside of Quebec City one time; we were out on—

Mr. R. G. Eaton (Middlesex South): Bit different to Essex county, isn't it?

Mr. Ruston: —one of the trails and while we were there two people drove in. They had left Montreal 2½ days previously and had come all the way on snowmobile trails from Montreal to Quebec and bunked on the way through. So they were years ahead of the Province of Ontario, no doubt, in the snowmobile business.

I suppose we could say that maybe part of the reason was that snowmobiles were first instigated and first manufactured in Quebec—

Mr. R. F. Nixon: Progressive Liberal government.

Mr. Ruston: —but there certainly were a lot of them sold in Ontario at the same time and especially in the snowbelt of Ontario. Of course, in our own area we don't always have that much snow. I recall at one of the select committee meetings, and I suppose some of the other members also would recall, that some of them said: "Well, we're glad to get a heavy frost so we can get out and get on them with even a heavy frost." In our area it is sometimes difficult to use them, although I will say there are a lot of snowmobiles in Essex and Kent counties—

Mr. R. F. Nixon: There's a lot of money down there.

Mr. Ruston: —and we are thankful that they are there, too. If members recall, we had the brunt of a heavy storm only two weeks ago prior to election day when the 401 from Chatham to Windsor was pretty well plugged up with traffic. We're not sure how many hundreds were stopped, but 40 or 50 snowmobilers came out and started hauling people from their cars into public places, schools and municipal halls and legions, 401 police stations and service centres.

We're very thankful that they did have snowmobiles available although there was one other means of transportation that did get through. One of my boys and another young lad took a four-wheel-drive vehicle and found that they could get through the whole night to haul people into places to stay for shelter.

This bill, Mr. Speaker, has got some flaws

in it. I have two or three sections that I'm concerned with and I propose about three amendments that I will be bringing in when the bill comes into the committee of the whole House.

One of the amendments has to do with what the member for Lambton mentioned, and that was concern with section 6, subsection (5), where it says: "No person shall drive a motorized snow vehicle upon a serviced roadway within a local municipality except when permitted by bylaws passed by the council of the municipality having jurisdiction over the highway."

Then, in section 26 where it says that part comes into force on Feb. 1, 1975—that would be a physical impossibility for municipalities that wished to pass a bylaw allowing the people to go on the serviced part of the road because it wouldn't give them time to pass these by-laws. So I will be having an amendment for that section.

Another place where I think we should consider an amendment is section 14(1) where you need a licence to operate snow vehicles. The interpretation of this, from what I can gather, is you cannot even operate a snow vehicle on your own property. During all the many meetings that we had while on the select committee, one of the points I raised a number of times with members of the committee and some legal people, and also at one or two meetings, was my concern about the right of the police to come into private property when they're not asked to come in. If I want to have a snowmobile on my private property and my child wants to drive it, I don't think it should be any responsibility of the state to come in and tell me whether I should be able to drive that on my own property.

Mr. Sargent: Good for you.

Mr. Ruston: There is one other thing and that concerns driving licences. I'm speaking now under section 14(1). There is another section I'm concerned about and that is with the permit issuing for snowmobiles. We discussed that a great deal in the committee and I, too, mentioned the question of whether it was necessary to have a permit on a snowmobile for use restricted to the person's own property. You might buy a truck or an automobile or a four-wheel-drive vehicle that you could license for the road, but if you were going to use it strictly on your own private property you would not need a licence for it.

Mr. Sargent: Right.

Mr. Ruston: That's another area which we should be considering.

It was mentioned a number of times that we should have an initial registration of a snowmobile. In other words, when it was sold it would be up to the dealer. That is, of course, in the bill. He must have them registered within six days.

On the first sale the vehicle should be registered; in other words, that would be for statistical purposes. When the sale is transferred to another person, we would then have a kind of a guide. We would have a kind of control and at least know where these vehicles were and how many there were in the province. With the serial number and so forth registered, it would also be helpful if any of these vehicles were stolen. I don't necessarily argue with the initial registration, but I argue with the point of whether it should be necessary to put a new licence on them every year if one is going to use them on his own property. That's the other area I'm concerned with.

Section 6 is rather confusing. We have had some conversation with some legal people and I'm still a little confused on it. Maybe I'll interpret it myself and if it's wrong, then it will be up to legal people to advise the minister when he replies as to whether my interpretation was right. Sometimes you get so many legal people writing things up that they can confuse the issue so much that a layman just doesn't know where he's at, Mr. Speaker.

I take it from section 6, subsection (5), that anyone can drive a motorized snow vehicle upon a highway but not on the serviced portion. In the township I live in now, we do not have a bylaw regulating snowmobiles at all. They just run free. The township has never had that much of a problem, so it never passed any bylaws. I would take it that one can still run a snowmobile in our township without any bylaw except on a serviced roadway and it would be up to the township then to say whether or not it is going to allow them on the serviced roadway. That's my interpretation of section 6, subsection (5).

Probably the first thing that caused most of the problems and public reaction to snowmobiling, in my opinion, would be the noise of the machines. When they first came out they were much noisier than they have been in the last year or two of production. I think the manufacturers realized there was resentment to the noise of them.

Then the federal government brought in standards as to the noise factor and a limitation of the noise that they can make. I un-

derstand that is 82 decibels now at 50 ft. That is not too bad, but the problem is the amount of snowmobiles that are being used of the older makes whose noise level is much higher. Of course, it's higher, I suppose, as acceleration goes.

Someone called me the other night and said a snowmobile was going by his house at 2 o'clock in the morning and he couldn't sleep. He says when the cars go by they don't hear them. They may have been older snowmobiles and they may have not had proper mufflers on them. This Act has in it that they must have similar mufflers to what they come with in the manufacture. They can't have straight pipes and so forth, the same as automobiles under the Acts governing automobile noise.

Another thing that was of concern in many of the meetings was the identification of these vehicles. As you will notice in the Act, Mr. Speaker, they are recommending that large numbers be placed on the cowling on each side. There is some concern as to how they will be made up. The responsibility is in the Act that they shall have them and be covered under the regulations. I think that is under section 2, subsection (7). There is the question as to whether they will be supplied by the ministry. We assumed when we were making up a report that these would be supplied by the ministry with the registration.

Another area in our report was serviced roadways and in the bill we have now considered serviced roadways plus shoulder. A shoulder, in my opinion of course, would be that part that is next to the travelled portion, and I suppose that there isn't always room for them to get by. I can recall when we were coming back from Parry Sound and the snow was blowing and we were on a bus. We were coming down Highway 69, if I remember correctly, and two snowmobilers were going along in the same direction as we were. With the snow flying over the snowbanks it was very dangerous and I thought it would have made terrible headlines if this bus carrying the select committee on snowmobiles were to hit one of those snowmobilers.

It was kind of a treacherous day for a snowmobile to be out on the travelled portion of a highway. I suppose on that road it's hard to find any other place to go on, because some of the roads weren't that wide that a snowmobiler could go back through the ditches or on the bank over past the ploughed section.

Mr. R. F. Nixon: That Highway 69 is narrow even in the spring.

Mr. Ruston: Another thing that was of great concern to many people—and this wasn't just farm people, it was people living in towns, villages and all over—was the trespassing problem. It's so easy to operate a snowmobile and they are a great machine for getting around in snow, and there's just nothing to stop one going anywhere provided there is snow. The damage that some people did in going on other people's properties or close to their homes and so forth, was one of the main objections that we heard in most of our meetings—trespassing on private properties, either in built-up areas or of course in the rural areas, where farmers had wheat and so forth.

We didn't get any real solid facts as to the damage done to wheat crops because of snowmobiling. We had different reports. There was one student from the University of Western Ontario making a study on it. We had some reports from people in the United States studying it. There are so many variables involved in that, depending on the depth of the snow. One can run over a wheat field and if there was two or three feet of snow on it I'm sure there wouldn't be much damage, unless maybe in the springtime, at the spring thaw; if it's packed that much, of course, the ice would stay longer and perhaps that would cause some damage.

So it's been of great concern to many people, and since we don't have as many fences now as we did 30 or 40 years ago it's very easy to get out on these fields, a wheat field especially; it's smooth and if there are only three, four or five inches of snow it's pretty easy to skip across there. This was one of the main problems that we had with trespassing. That, of course, is covered in the bill.

The liability of a trespasser was a major concern, especially since the Supreme Court ruling on the case in northern Ontario, in a mining area—an old mining road or something. There was a large steel post up and this snowmobiler hit it. The Supreme Court ruled against the mining company, or whoever it was—yes, I think it was the mining company which owned the property.

Mr. Stokes: Kerr Addison.

Mr. Ruston: Is that it? Of course, if a snowmobile owner is asked by the OPP—as I was mentioning a few minutes ago—to come out in an emergency and help them, and take

people into homes and so forth, that is another matter.

I recall just a couple of weeks ago where one of the service stations furnished gas and oil for all these snowmobilers while they were hauling people in. He was wondering if there was any compensation he could receive for this. I said, "Well, I don't think we have any funds in any particular area set aside for such things. I think most of the people who do it do it out of the goodness of their hearts, to help their fellow men." I think that is just a thing that one does for his fellow man and I think that we have to accept that.

The only thing is that when that road is in bad shape and not good for automobiles, a snowmobiler can come out, but then, of course, he is restricted from it the next day or two days later when it has been improved. Sometimes there is a resentment that when they want him in an emergency they allow him to come out and then when the roads are good they don't need him and they don't want him any more.

The announcement of the Provincial Secretary for Resources Development of his plans to go ahead with trails is certainly a step in the right direction. As I mentioned before, it probably should have been done many years ago to avoid the necessity of maybe pushing them off the roads.

Mr. R. F. Nixon: Too little too late.

Mr. Ruston: In southwestern Ontario the trail situation is going to be a very touchy problem. I don't know just how you can prepare trails in Essex and Kent counties—and probably Lambton and Huron—because our snow doesn't always stay as long in some places down there. It would be quite difficult. However, if there are trails available within 100 or 125 miles, we do have a number of people who go up north of London and different places from our area to go to areas where they have commercial trails. Some of them go into commercial areas now, and maybe the people in the snowbelt accept this.

We have many editorials in the paper saying we have to have legislation, but the one thing you are never going to legislate —I don't think we can ever do it here—is to keep people off soft ice. I think maybe the government can put signs up in places where they use it a lot, but in areas where people can just go on to ice, where there is ample opportunity to go onto lakes from all areas, I don't know that we can ever legislate that. We heard a number of times in our committee from one of the members that you can't legislate common sense.

Of course, we realize that is something that is the responsibility of people driving them. We had some serious, sad accidents down in our own area. Just last year two or three people were lost in the river there—a small river, too—but I don't know whether we can ever control that with these machines. They are so adaptable for getting around that it is almost a physical impossibility to control them completely.

Our statistics show that many of the accidents that we've had have been on municipal roads, not necessarily on provincial highways. A number of them were caused by a parked car or something parked on the shoulder of the road where the lights maybe weren't bright enough on the snow vehicle to pick out the car if it was sitting there maybe for a day or two, with snow around it and no lights on it. We have found that a number of fatalities were caused by cars parked on the shoulder of the road. So I suppose that is the reason that the ministry, in adding on to our report, included "shoulder of the road" as a serviced part of the road, to keep them off highways, provincial roads and secondary roads.

To give you an idea of how far ahead the Province of Quebec was in this, Mr. Speaker, we have here a map that was made up two years ago of the many miles of snowmobile trails that they had. Some of them went through golf courses and places like that. We were down there, we went on some of the trails and drove some of the vehicles that they use for servicing them and smoothing them and so forth, and it certainly showed that could be done if it was properly planned and looked after. This was shared, of course, by a number of snowmobile clubs in co-operation with the province in doing that. Of course, that is similar to what the Provincial Secretary for Resources Development stated in his statement with regard to funds from this province that would also be shared.

Another thing, Mr. Speaker, is speed limits. You will notice that in our report we suggested 15 mph in 30-mph zones and 30 mph in higher-speed zones and highways, but regulations will govern the speed limits on public trails and so forth, according to conditions or the type of trail.

The problem in relation to the speed, and why we discussed it considerably, was the control of snow vehicles, especially on ice or a hard-packed snow surface. Some of them couldn't stop all that quickly or you couldn't

steer them too well because of the runners; it depends on the type of runners they have, because some of the more expensive ones steer better because of their gripping ability on the ice. The thinking behind the speed limit being lower, of course, is that it would give the operators much more control of them.

Insurance is another thing. There was some difference of opinion, if you had a policy on your car and no-fault insurance, and if you were driving somebody else's snowmobile, as to whether your own car policy would cover it. You will notice in the final report, Mr. Speaker, that we suggested the possibility of a special snow vehicle insurance policy being set up. We had quite a lot of discussion about that but we didn't really come up with anything other than that recommendation.

I think that pretty well covers my general points, Mr. Speaker, and we will be discussing a number of them further in the committee of the whole.

You know, there's something about a snowmobile. I haven't ridden them an awful lot but I've driven them in a number of areas; our family has one and I use it out in our own area. It certainly has got a lot more excitement to it. I recall we were up in the Schreiber area in the riding of the member for Thunder Bay and we went through some pretty hilly areas. Speed wasn't the key thing there; it was handling your machine without having one of the skis hit the tree while you were turning and so on.

There certainly is a great deal of excitement and daring in running one of these machines. After all, I think that's what got so many people interested in them. You are sitting right out there and, I suppose, as the fellow says, "it's like riding in a horse and buggy without any horse in front of you." That's what got the machines out, I think; and the sport gets a lot of people out in the winter time when otherwise they might be going to Florida or some place else.

Another thing of concern is the age of people who should drive these vehicles. We had recommendations for all ages. I think the lowest age was suggested by someone who thought a person seven or eight years old could be capable of running a snowmobile. Well, there probably are some, Mr. Speaker, but you will notice in the report and in the bill that the minimum age is 14 years to cross a road on a snowmobile, 16 to use it on a road, 14 on a crossroad and 12 on public trails.

I saw an editorial in the Windsor Star the other day objecting to this recommendation that people 12 years of age be allowed to run a snowmobile on a public trail, but if they are properly trained and can pass a test, and if they are not on highways and so on, I think it shouldn't be too much of a problem. In fact, if they were trained to operate them and showed proof by taking a test, it might be better than the present situation, where they can run them even at the age of 14 or 16. Some people can be trained properly for driving at a younger age, so I think it's not a serious problem as far as I can see. I think that's all I have to say right now, Mr. Speaker.

Mr. Speaker: The hon. member for York North.

Mr. W. Hodgson: Mr. Speaker, I'll be very brief in my remarks. Initially, I would like to congratulate the select committee on snowmobiling. They have done an excellent job, and it has been pretty well received by the snowmobilers in my area. They say they are the third largest organized club in the Province of Ontario in the town of Aurora, and they approve it in principle except for the section that my colleague, the hon. member for Lambton, spoke about — sections 6(5) and 6(6). They would like to see that reversed. He has proposed an amendment, and I will certainly support that amendment when it is presented.

Mr. Martel: Oh, oh! The minister is going to have opposition mounting.

Hon. G. A. Kerr (Solicitor General): There is going to be a division here.

Mr. W. Hodgson: The hon. member for Essex-Kent spoke of a delay in the passage of this bill. I don't think that we can afford to delay the passage of this bill for any great length of time. It should be done, and it is urgent that section 19 be passed immediately to give the property owner protection from liability.

There is another part that I have had some comment on, and that is the part about having to have a registration or a licence to operate a snowmobile on one's own property. People feel they are being discriminated against. They don't have to have a licence on their truck or car when they take it out on their own property or farm. They can run that without a licence, and they can operate a tractor without a licence. They feel that in a good many cases where, in the winter, a snowmobile is part of the farm operation,

and they don't see why they should be licensed unless they take it on to the public highway.

There is another section on which I would like the minister's comments. I'm sure it is not the intention of this section and that he will clarify it. Section 16(3) provides that if a person is stuck in a ditch with a snowmobile he can tow it out with another snowmobile, but if it's broken down he can't tow it home. Now, I don't think this is the intention of the legislation. The minister, I'm sure, will explain it to us.

Those are the comments, Mr. Speaker, that I have to make. People in Ontario are expecting us to pass legislation on snowmobiles. As I say, it's been well received in my area, but the biggest comment and the most opposition I get to the bill is on section 6(5) and 6(6). Thank you very much.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: Thank you, Mr. Speaker. I find it almost incredible, Mr. Speaker, that of seven members of the—

Mr. Eaton: They're all down in the justice committee.

Mr. Stokes: No, they're not. Don't hand me that garbage.

Mr. Ferrier: Where is the member for Durham?

Mr. Stokes: Of seven members of the select committee for snowmobiles and all-terrain vehicles from the Conservative Party, not one is here to engage in the debate tonight. And from the comments of the hon. member for Lambton, I'm wondering whether they even talk to their colleagues about what went on at that select committee.

Interjection by an hon. member.

Mr. D. A. Evans (Simcoe Centre): Where were the members of the NDP when the committee on natural resources was meeting? Not one was there when the final bill was passed.

Mr. Ferrier: Let the member for Simcoe Centre take it up and speak against it too.

Mr. Stokes: I find it very difficult to believe that there was any discussion over there at all about this piece of legislation. It was my understanding that before a piece of legislation like this was brought into the House it was given some kind of discussion in the Conservative caucus. It's quite obvious from the comments of the hon. member for Lambton that that wasn't the case at all.

Mr. Ferrier: The Minister of Transportation and Communications must have laid a heavy hand on them.

Hon. Mr. Grossman: The member is wrong.

Mr. Stokes: Okay, I'm wrong. I've been wrong before. I will say, though, that I think it's a credit to the Provincial Secretary for Resources Development that he saw fit to be here tonight for the discussion of this particular piece of legislation.

Hon. Mr. Grossman: I'm here most nights. The member knows that.

An hon. member: Take a bow.

Mr. Stokes: Yes, he can take a bow.

I see $150,000 in the supplementary estimates that were tabled this afternoon—

Mr. Martel: That's to pay for the bill.

Mr. Stokes: —for grants to snowmobile trail clubs, municipalities and conservation authorities. As the spokesman for the Liberal Party, the member for Essex-Kent stated, one of the problems that arose more frequently than any other in our discussions with interested groups throughout the province was their anxiety over a sufficient number of trails. As a result of the trail symposium that was held a year ago last June by a former minister of the Crown, I think it is safe to say that people throughout the province who were interested in the development of a trail system, whether it be for horseback riding, whether it be for cross-country skiing or whether it be for bird watching, made it quite clear that they felt that they were entitled to some kind of outdoor trail system where the conflicts that inevitably arise as a result of multiple use of Crown land were kept to a minimum. I think one of the other things that people spoke about was the fact that they weren't getting anything for the $10 registration fee that is in vogue at the present time.

As I recall, at last count there were something like 250,000 registered vehicles in the province, and no doubt since those figures were made available to us there has been an increase in them. At $10 a throw it is quite obvious that the fair amount of return is going directly into the coffers of the province and nothing of any consequence is returned to the snowmobiler by way of trail-making assistance, trail grooming and things of that nature.

This is a token gesture that has been brought in by the minister responsible for resources development inasmuch as they have only allocated $150,000 for the balance of this fiscal year.

Mr. Martel: Gas tax.

Mr. Stokes: I see the minister looking at his supplementary estimates book. Obviously he didn't know it was in there. It is $150,000.

Mr. Ferrier: Can't the provincial secretary discuss anything in his policy secretariat?

Mr. Stokes: Well, I see him looking at it.

Hon. Mr. Grossman: I was looking for something else.

Mr. Stokes: Yes. I am a lip reader. I can see these things.

Hon. Mr. Grossman: Does the member see these things.

Mr. Stokes: The point I am trying to make is that with the economic benefits that accrue to the province as a result of the snowmobile industry—in fact, the entire country—if the minister takes the trouble to read the presentation that was made to the select committee on snowmobiles and all-terrain vehicles by the Ontario Snowmobile Dealers' Association, he will appreciate the amount of jobs that the manufacture of snowmobiles entail. The dealerships, the servicing by way of parts, the economic spill-off and the ripple effect that the snowmobile industry are all-pervasive right across the province.

As a matter of fact, I think they made reference in their presentation to us that to the extent that we had a balance of payments in the automotive industry with the United States, the greatest proportion of that was due to our ability to manufacture, market and export snowmobiles. By far the greatest amount of our favourable trade balance could be attributed to the snowmobile industry in Canada.

What I am saying then is if the government is going to pass a piece of legislation which effectively bans people from the highway systems in the Province of Ontario—and it's a concept that I agree with—then in those areas where the road structure is the responsibility of a local municipality, they should be given the right and the responsibility under this piece of legislation to enact a local bylaw that will allow them to operate on certain arteries within a municipality at least to the extent that they are allowed to get out into this trail system, or on to Crown land, where they are usually operated.

I think the government is going to have to get into the trail business to a much greater extent than was envisaged by the Provincial Secretary for Resources Development. The $150,000 that has been mentioned to date doesn't even begin to build a trail structure, particularly in those areas of the province where there is a minimal amount of Crown land and where they either have to be restricted to their own property, or they have to enter into an agreement with farmers for the use of private lands and, where possible, use provincial parks or land under the supervision of conservation authorities.

So this is one time when I don't have to be parochial and speak out on behalf of the north in particular, and that is with regard to the provision of adequate trails and the grooming of same. I think it's quite accurate to say that in the series of meetings we held across the province, particularly in southern Ontario—in those areas south of the French River—it was quite obvious to all of us on that committee that the prime concern of snowmobilers in southern Ontario was a place to get out and to roam and enjoy an outdoor experience with safety—to provide them with an alternative to mixing with other vehicular traffic.

My colleague and friend, the member for Essex-Kent, is perfectly right. When the Ontario Snowmobile Dealers' Association came before us they said: "This vehicle was, in every sense, a snow vehicle. It was meant and designed to travel on snow. It was never meant to travel on roads." Of course, I'm not going to trot out the accident statistics that are available. We know the number of deaths that have resulted from the mixing of snow vehicles with other vehicular traffic on provincial county, township and municipal roads. I think that the evidence is all in and it just is not in anybody's interest to have a combination—in spite of what snowmobilers as individuals might tell you. With increased automobile and truck traffic, it's just not realistic to mix snowmobiles with other vehicular traffic, especially where we don't have controls out on the main highway.

I hope very, very sincerely, Mr. Speaker, that before this legislation is enacted that every municipality right across the province will have had an opportunity to take a real good look at it and see the philosophy behind it It is based almost totally upon the recommendations of the select committee on snowmobiles and all-terrain vehicles. I hope they will take a look at it and see what we were

trying to accomplish to at least bring down to a minimum, if not totally eliminate, most of the serious accidents and fatalities that have occurred as a result of the misuse of these snow machines.

Of course, the only way they're going to do it is by taking a look at their own local situation. That's why we recommend that bylaws be enacted by the municipality, which is in a better position to know what the local situation is, rather than invoking all-encompassing standardized regulations that have to be enforced by somebody down here in Queen's Park. We don't think that's realistic.

We think the onus and the responsibility should be placed on the shoulders of each individual municipality, via the town council, to see the way the snowmobile community is acting in that communty. If they are acting in a responsible way, and they appear to be driving in a safe way, then it can be made possible, by municipal and local bylaws, to allow for their use on certain roads, certain corridors that will let them out into the trail system or out into areas where it is much safer for them to operate.

Of course, in municipalities such as Metropolitan Toronto and in the city of Thunder Bay, where they have banned them altogether, I think there should be the kind of co-operation with responsible snowmobile people that is necessary to allow them certain corridors, where possible, to get out to these trails—a network of trails that, hopefully, we will have in any place in the province where they are needed.

In principle I agree with the provisions of this bill. I have some amendments that I would like to address myself to on clause by clause, but by and large I see the necessity of bringing in this kind of legislation to control, to regulate what I consider to be a very serious situation with regard to snowmobiling in the Province of Ontario at the present time.

I want to make a plea for a particular group in the Province of Ontario, that I think the government has neglected by way of legislation. There is nothing in this bill at all that pays any attention to a recommendation we made to exempt certain people in certain areas of the province from the provisions of this Act. And I'm talking about the native people.

I want to put on the record, Mr. Speaker, a very thoughtful presentation that was made to us by the president of the Union of Ontario Indians during one of the hearings that was held in the city of Thunder Bay while we were going back and forth across the province to listen to what serious groups and individuals had to say about the safe operation and regulation of snowmobiles right across the province. I want to quote in part, Mr. Speaker, from that brief.

> You are probably aware that more and more motorized snow vehicles are playing a very important part in the economic and social development of the native people of northern Ontario and in particular the far north.
>
> There was a time when the modes of travel was dog-team in the wintertime and canoe in the summertime. This, of course, is now past. We are now mobilized by motorized travel. I speak of motorized snow vehicles, tractor trains and outboard motors in the summertime.
>
> It is also understandable that the government of Ontario must impose certain rules to control safety and pollution caused by these snow vehicles. However, it should be pointed out that these safety measures or any measures taken must be flexible enough so that they will not interfere with the economic and social development of the native people in the north.
>
> Any rule applicable in southern Ontario should not necessarily be applicable in northern Ontario. The cost of installing safety devices should be greatly considered as these costs will create and cause much hardship among the native people of the north. Restrictions such as licences, licence plates, insurance, operator's permits, age of operator and transportation of firearms should be considered very carefully as they relate to the Indian people in northern Ontario, as these will have drastic effects on the economy of every settlement and reserve in northern Ontario.
>
> Certain restrictions will also be detrimental to the native providers and trappers in their daily work. Registration of snow vehicles should be done by the dealer at the time of sale and without cost to native people. Trespassing, speed limits and hours of operation do not at this time seem to be of great importance in the far north. Due to the fact that there are very little private land holdings and no highways, enforcement and control of such restrictions would be all but impossible in the north.
>
> In view of the foregoing, the following points are brought forward for your consideration when making your recommendations to the provincial government—

Hon. Mr. Rhodes: All that is going to be done in the regulations, not in the Act; all in the regulations.

Mr. Deans: Too much is.

Mr. Stokes: The minister said "all"; I just want to make sure that he covers all the bases.

Hon. Mr. Rhodes: Those particular points will be in the regulations that deal with the far north and native people.

Mr. Breithaupt: Too much is done by regulation.

Mr. Stokes: Well I won't bother reading any further if the minister knows what's in this brief and can assure me that it will be covered by the regulations.

Hon. Mr. Rhodes: We are aware of those concerns, Mr. Speaker; those concerns have been looked at very carefully and will be handled more effectively by the regulations that will be able to be brought into effect to exempt certain areas of the province from some of the things that are included in this legislation, rather than put them right into the legislation.

Mr. Stokes: The minister is suggesting that I really shouldn't be talking about anything that isn't covered by the bill. I thought we were talking about the principle of the bill and I thought it was quite appropriate to talk about things that should be in the Act and are going to be in the regulations.

Hon. Mr. Rhodes: Mr. Speaker, on a point of privilege, if I can use that term. I do not in any way want to inhibit the hon. member. I just thought I would pass that along to him. He is certainly free to talk about anything in this field.

Mr. Ferrier: Well what is the minister interfering for?

Hon. Mr. Rhodes: I wouldn't interfere with him for all the world.

Mr. Ferrier: The minister is trying to steamroller his way, over my colleague, just the way he steamrollered the bill through his own caucus.

Hon. Mr. Rhodes: I just want him to know that we have been listening and paying attention.

Mr. Martel: The minister will have his day in court.

Hon. Mr. Rhodes: I would never do that.

Mr. Ferrier: He is laying heavy on him these days.

Mr. Stokes: I really don't know whether I should continue reading this or not, when the minister seems to think he can anticipate what I am going to say.

Mr. R. F. Nixon: No one can do that.

Mr. Stokes: Is the Leader of the Opposition in his seat? What was he doing over the weekend?

Interjection by an hon. member.

Mr. Stokes: If the minister wants to stand up in his place and tell me in detail what is going to be covered by regulation, fine and dandy, I won't take the trouble to—

Interjection by an hon. member.

Mr. Ferrier: He has lots of support from the Tories in the back benches.

Mr. Martel: Give it to him.

Mr. Stokes: The brief goes on: "Registration of snow vehicles should be done by the dealer."

Hon. Mr. Rhodes: That's in the Act.

Mr. Stokes: Then it says:

> Safety of the operator, including his qualifications and equipment, and of passengers carried on or towed by the vehicle: If the term qualification is used to include operator's licence, the committee should consider very carefully the effects such controls would have on the native people of the far north. Operators' licences should not be required by Indians as this will create hardships to the Indian people in the far north.
>
> Many of the people would not be able to pass operators' examinations due to the fact that they have not had ample opportunity to learn the regulations. Consideration should also be given if Indians are required to pass operators' examinations conducted in English.

If all of this is going to be waived in terms of native people, fine and dandy, I won't go into it in any great detail; but there is one assurance I want from the minister. He is going to find extreme difficulty in defining the word "native."

If the minister is going to say a native is a person within the meaning of the Indian Act, he is going to restrict it to those people who are designated as status Indians, those

who have a number, those who are in receipt of treaty money regardless of where they may live across the province. If he is going to do it by way of a line of demarcation, say, everything north of the north line of the Canadian National Railways, he is going to include in this legislation a lot of treaty Indians south of that line.

I have had some discussion, very briefly, with members of the ministry. They were a little bit disappointed that in our recommendations we didn't set out in much greater detail how we thought native people should be exempt from the terms of this legislation. When the minister interrupted me, that's why I was a little bit put off, because I really don't know how he is going to accomplish this in order to satisfy the objectives of the so-called native people in the Province of Ontario.

If he is saying a native person is anyone who lives above the 51st parallel or a native person is someone who lives above the north line of the Canadian National Railways, or if he is going to say every person who is a status person, regardless of where they live in the Province of Ontario, then that would include people in Brantford—

Mr. R. F. Nixon: Right. That is Brant. I am Brantford.

Mr. Stokes: —down on the Six Nations reserve. I am wondering when he says that is all going to be covered by regulation, whether the minister has given this the—

Hon. Mr. Rhodes: Reserves aren't covered by this.

Mr. Stokes: I can't hear the minister.

Mr. Breithaupt: Reserves aren't covered by this statute.

Hon. Mr. Rhodes: Mr. Speaker, I don't want to be accused of interrupting, but I think the hon. member should know that the reservations as such are not covered by this legislation. The reservations are regulated and controlled by the federal government, and rightly and properly so. Provincial statutes such as this will not be enforced on the reservations, so that the member's concerns for those areas, other than the far north where the reservations are, are in part not really of that major concern. They are to a degree, but we will not be having this statute enforced on the reservations.

Mr. Stokes: Okay. The minister is well aware and well acquainted with reserves in his particular area where he has got the Batchawana reserve and where he has got the Garden River reserve. But I can show him many, many communities in the far north where Indians have lived for decades, and they are not on reserves.

Hon. Mr. Rhodes: We recognize that.

Mr. Stokes: I want to know about those people living in those areas, although they are not living on a reserve—one could call them Crown-land squatters at the present time because their status is under question and up in the air. I think they should enjoy exemption under this Act by way of regulation in much the same way as those who do enjoy reserve status. I just hope that when the minister is drafting the regulations that perhaps he'll take the trouble to sit down with some of us who know what the situation is in the far north, because he could say that everybody who lives on a reserve is exempt and he could disqualify half of the native people in the north just by using those criteria.

I am hoping that when he gets sitting down to draft the regulations, if he hasn't already done so, that he'll take the trouble to consult. If he doesn't want to consult with me, he can consult with the president of the Union of Ontario Indians. He can consult with the president of Treaty No. 9, our good friend Andy Rickard, who the minister knows, Bill Sault and Peter Kelly, who is the spokesman for all of the reserves under Treaty No. 3. The minister knows the Robertson Superior treaty group that he is so acquainted with down around the Soo and up around the north shore of Lake Superior. If the minister is going to provide them with the kind of exemption that I think is necessary in order to accomplish what we both agree is something worthwhile, I hope he will take them into his confidence, bring them in and have a chat with them, before he drafts his regulations, so that he doesn't have to come back and do it all over again at a later date.

There are a good many things I want to get into in more detail when we discuss this clause by clause, Mr. Speaker; if I were to dwell on them now it would only be repetitous. I simply want to indicate to the House, and particularly to the member for Lambton, that we had considerable dialogue with the Ontario Snowmobile Federation, which is the federation that speaks for not all of the clubs in the Province of Ontario but a good many of the clubs. They heartily endorse this situation and this piece of legislation. They do

have some minor reservations about it, but I am assured by them that by and large they think this is a good piece of legislation and that it should be supported by everybody, including the snowmobile fraternity right across the province.

Mr. Eaton: Mr. Speaker, I would like to take the opportunity to say a few words on this bill.

First of all, I would like to compliment the snowmobile committee on their work. I had the opportunity of sitting in on one of their meetings in London, when I guess better than 50 per cent of the crowd were snowmobilers from my riding, and I am sure they provided some good input to the committee, because the snowmobile clubs in our area certainly have been very responsible.

I would like to comment on the situation as far as the Indian reserves are concerned. I was approached by the vice-president of the Union of Ontario Indians, who comes from my riding. He requested that the reserves be exempt as far as this legislation is concerned—and I think the minister has indicated that the legislation will not apply on the reserves—but he agreed that Indians taking their snowmobiles off the reserve should have the legislation applied to them the same as anyone else.

Interjection by an hon. member.

Mr. Eaton: I would like to comment on the letters of permission referred to in the bill. I think this is in a way necessary. I know that the people in this province who have farm property certainly have looked forward to some protection as far as liability is concerned. I believe this protection is in the Act. However, I would draw the minister's attention to one problem which I feel is related to the letters of permission.

In many cases, snowmobile clubs in southwestern Ontario have gone as a club and got permission to go across farms. I think it's impractical to ask a farmer to sign a letter of permission for every snowmobiler in that club and to expect each one to carry a letter to go across his property. I think that if a club gets permission that should be sufficient for the membership in that club and there should not be a requirement for a letter for each individual.

It was brought up in discussion at a meeting on Sunday that the conservation officer could be stopping persons on each farm and asking them for a letter of permission. I don't feel that is necessary. I feel it should be a case that if a farmer complains, then the legislation is enforced.

I have allowed people to go across the back of my own farm which is part of a trail. I don't have a snowmobile myself, but people sometimes come out to my place and wish to go through my place to get onto this trail; they also cross the property of neighbours who don't mind them being there because they are part of the group that uses it. This person might come out to my place once in a year, so it would be impractical for him to go around to all the neighbours that day and ask them for a letter of permission.

I certainly feel the minister should be bringing in an amendment so that the letter is required only if that property owner requests it, or someone acting on that property owner's behalf.

I would also like to bring up the matter of the use of the roads. I certainly stand opposed to the snowmobiles operating on any provincial highway. I would tend to agree somewhat with the legislation as it is, but I have some grave misgivings about the way it's brought in.

I think that in municipalities like those in my riding, where there are small villages, people have to get out from the small village onto the trails that are there. It's going to be a case of municipal officials sitting down and designating this street or that street or another street to get out to the trail; and sure enough, they will have missed this street or they've missed another one.

I think it should be operating in the reverse. There should be permission for them to use the roads in a municipality, except for provincial highways, and the municipality should lay down a ruling as to the roads they cannot go on. The municipality is in a position to know the busy roads, the roads that could be dangerous.

I can think of many instances in our area where they have developed some fine trails. The only way they can get from one trail to another is along a concession road. They can't go in the ditches—as has been suggested in some cases along these concession roads—because the ditches are deep and impassable. Therefore, snowmobile operators should have the opportunity to use these roads. I think to be practical and to make it convenient for the municipalities—and really to give the option to the municipalities—the choice should be the municipality's as to what roads snowmobiles cannot travel on.

I would just like to say a word or two

on the trails, since the trails programme was referred to although it really doesn't come under this bill. I think consideration should be given to allowing grants to clubs which operate trails which are partially on public land and partially on private land. Those trails shouldn't necessarily become public the minute a grant is given to operate part of that trail. In many instances, the farmers have given permission to those clubs alone to operate there. Not only that, the traffic on those trails, if opened up to the general public, would be such that the trails would be of little use, at least in my area.

Those are just a few comments. I hope the minister will give them some consideration. I would say that I will support the amendment made by the hon. member for Lambton to put the onus on the municipality to control which roads will not be used by snowmobilers.

Mr. Speaker: The hon. member for Perth.

Mr. H. Edighoffer (Perth): Mr. Speaker, in speaking on Bill 161, I guess the first comment I would have to make is that I enjoyed the opportunity of serving on the committee. I had the opportunity to travel on snowmobiles on roads and in fields, on groomed and non-groomed trails.

I must say that I think the committee was very objective in its recommendations, because they certainly realized that we in Ontario do have a fair amount of snow and that these vehicles should be allowed for recreation as well as for being used as service vehicles.

I must say we had one disappointment. The committee had to make a decision whether they wanted to leave the legislation as it was, which the Conservative backbenchers are stating they wanted; that is the same way as the previous legislation had been formed. But we did try to get permission—and particularly the hon. member for Algoma (Mr. Gilbertson); he was most interested in getting over to Norway, where of course snowmobiles are completely banned. However, he didn't have enough drag with the chairman. We weren't able to get to Norway—

Hon. Mr. Grossman: Shame, shame.

Mr. Edighoffer: —to see how the people were affected by not being able to use snowmobiles.

Hon. W. A. Stewart (Minister of Agriculture and Food): They didn't have the right chairman.

Mr. Edighoffer: That's right. We didn't have the right chairman.

Mr. Ruston: If we'd had the hon. member for Lambton we would have made it.

Mr. Foulds: No, no; he would have had the members down in Florida studying all-terrain vehicles.

Hon. Mr. Rhodes: The member for Port Arthur had a pretty good time overseas.

Mr. Foulds: I didn't go.

Hon. Mr. Rhodes: He shouldn't have signed the report then.

Mr. Speaker: Order, the hon. member for Perth has the opportunity to speak.

Mr. Edighoffer: Mr. Speaker, we—

Interjections by hon. members.

Mr. Speaker: Would the hon. members please give the member an opportunity to speak?

Mr. Edighoffer: Mr. Speaker, we did have an opportunity to speak to many snowmobilers and I believe that one question that was asked at many of the hearings throughout the province showed they seemed to be very concerned as to whether or not the members of the committee were owners of snowmobiles. I have to say that not too many members of the committee did own snowmobiles, but of course they—

Mr. Foulds: They all do now.

Mr. Edighoffer: —all had ample opportunity to find out how they operated.

Hon. Mr. Grossman: The member for Welland South (Mr. Haggerty) doesn't use one.

Mr. Edighoffer: I am not certain whether he does or not.

Hon. Mr. Grossman: I bet the member's bottom dollar he hasn't, and I can tell him why.

Mr. Foulds: How about the member for Scarborough Centre (Mr. Drea)?

Hon. Mr. Rhodes: He has got a horse.

An hon. member: Or the member for Perth?

Mr. Edighoffer: I want to reiterate what has been said by some of the speakers here

this evening, that OSDA, Ontario Snowmobile Dealers' Association, definitely stated in their brief that these machines were not designed for use on the roads. I tried at many of the meetings to ask specifically those making presentations whether they felt that they should be used on the roads, and in many, many instances the people said that they were not designed for use on highways.

I think that one of the basic changes in the legislation—and I wonder about this basic change—is in section 6(5), particularly, which states that "no person shall drive a motorized snow vehicle upon a serviced roadway within a local municipality," and so on and so forth. When I look at the whole section, I think I almost have to say that it sort ot reminds me of a dog's breakfast.

I note that there are several sections which have been picked up out of the old Act and placed at the top of that particular section. It would probably appear to many people on reading the section that snowmobiles may be driven on highways, as has been allowed in the past. They have to go down to subsection (5) to see that basically this section, which I presume will become law on Feb. 1, states that they shall not.

Also in section 6(5), I am wondering if that particular section covers a regional municipality road, because you have to go up to section 6(1) to read the definition of "local municipality." I am just not clear on whether that covers a regional municipality road or not.

As I say, I think it is somewhat confusing. I would feel that subsection (5), particularly, should be up nearer the top of the section. I think it would be much clearer.

I might just say a word about the registration fee. This seemed to be one of the questions that came before the committee 100 per cent of the time. I see there is no mention of what the registration fee will be. It will be left up to regulations, and I presume that the Lieutenant Governor in Council will decide that it will be $8; in fact, she might even decide to lower it to $5, but I guess time will tell.

Hon. Mr. Grossman: She might even change her mind.

Mr. Edighoffer: Another thing I wanted to say about section 6(5) is that I wonder if municipalities will really be able to pass bylaws by Feb. 1. I think it might be rather difficult, and I feel that this might have to be changed because of the late introduction of the legislation and, of course, the new councils which are coming into effect the first of the year.

Then we go on to section 8. I think this is a good section, because there are people in this province who do not have a licence to drive a car on a highway and, of course, couldn't drive a snowmobile along the side of a highway. I think this is a welcome addition.

The other part of section 8 where they lower the age limit is certainly fitting for snowmobiling, because it can only be done with more education and I'm sure a training programme starting at an early age will be helpful to snowmobiling in general.

Section 14 concerns me a bit because on the third line it states: "Every driver must carry a licence with him at all times." I am just wondering if this means that a young boy or a girl, on the family property, would have to carry a permit at all times, which I don't think would be right, particularly when they're on their own property.

To go on a little farther, to section 18, I see that the new legislation states: "The vehicle shall bear a national safety mark." This refers to all new machines. In other words, this is controlling the quality of design, I suppose, of all new machines.

The committee did recommend that a certificate of mechanical fitness should accompany the resale of any motorized snow vehicle, and I would suggest that the minister again take a look at this to see if it would be possible to add something to this effect in this section, because I think this would protect the purchaser, financially as well as from the safety aspect, when purchasing a used snowmobile.

I guess, Mr. Speaker, that is really all I have to say. We have a number of amendments in committee. I know the Ontario Federation of Snowmobile Clubs has given this thorough study and has made some excellent recommendations as well. I believe that is really all that I have to say at the moment.

Mr. Speaker: The member for Stormont

Mr. G. Samis (Stormont): Mr. Speaker, I realize the hour is late but I would just like to make a few brief comments on the bill.

First of all, coming from a riding that is experiencing a 10 in. snowfall and has one of the largest snowmobile clubs in Ontario, the Seaway Valley Snowmobile Club, I would like to say that this bill has been well re-

ceived in the riding of Stormont. I support the introduction of the bill and I would also support most of the provisions of the bill.

I do have some reservations about the age limits that are proposed. I would especially suggest to the minister that we have a very well developed training for these people between 12 and 16. I would be very dubious about allowing parents of people like this to have the prime responsibility for educating these people. I would hope the government would develop programmes, possibly in conjunction with schools or with the clubs, specifically designed for the people under 16, if we're going to allow those people to ride snowmobiles. I hope the exam itself would not be a farce or a formality, but something very practical, very meaningful, with a strong emphasis on safety for those under the age of 16.

Like my colleague from Thunder Bay, we in Stormont would welcome far more assistance in the realm of snowmobile trails, especially for people who live just on the verge of excellent terrain for snowmobiles but have trouble getting out of the city unless they buy a trailer and so forth. I would suggest to the minister that, if possible, trails could be developed leading from the city to already established trail areas, again in conjunction with the clubs. I think the snowmobile people would really appreciate that.

I would like to make one final brief comment, Mr. Speaker. Coming from eastern Ontario, if there are to be signs and regulations issued we would ask that the regulations be made in English et en français aussi, parce que nous avons beacoup de motoneigists dans l'est d'Ontario. I think, as a courtesy to these people, we should try to make the signs bilingual, the regulations bilingual and the examinations bilingual in the eastern counties and, where applicable, in the northern counties. Thank you, Mr. Speaker.

Mr. Speaker: The hon. member for Simcoe East.

Mr. G. E. Smith (Simcoe East): Mr. Speaker, I'd like to make a few comments on this bill. I support the principle of the bill; however, there are some grey areas that affect my part of the country and I think they need to be clarified.

As you are no doubt aware, sir, a great deal of the snowmobiling is done on lakes in my area, both inland lakes and navigable lakes. It seems to me that perhaps there should be some clarification by the minister, when he responds, as to whether section 6(2) does apply to an inland lake, a non-navigable waterway, in a municipality.

I suppose the same thing would apply in my area too with regards to Lake Simcoe and Lake Couchiching, which are a navigable waterway. Does the municipality on the shoreline have the right to require the hours of operation or implement any other regulations governing the operation of the snow machines?

I have talked to some people, and they seem to think that subsection 2 does cover the operation of snowmobiles on the waterways. It seems to me if we go ahead and implement this bill as it is written, and if we don't take into consideration the amendment that was proposed by the hon. member for Lambton, we will be prohibiting the use of all the lakes for snowmobiling unless the municipality passes a bylaw. Along Lake Simcoe, or in some of the inland lakes where the shoreline lies within several municipalities, there is going to be a real jurisdictional dispute.

My local paper does editorialize, but not for this particular reason, and says that we should reverse the procedure and permit them to operate in the municipalities unless the municipality passes a bylaw. I think this is worthy of consideration by the minister and the hon. members, particularly in many of the municipalities, such as I have, where there are going to be real jurisdictional disputes.

It will not be possible for the municipalities to draft and pass the bylaw by Feb. 1, as was mentioned by several members, and it seems to me this is another reason why we should reverse the procedure that is mentioned in the bill and leave the prohibitions to the municipalities rather than have them legislate the permission. Thank you, Mr. Speaker.

Mr. Speaker: Will the hon. member for York Centre's remarks be at some length?

Mr. Deacon: No, not very long, but do you want me to move the adjournment of the debate?

Mr. Speaker: If you are not going to finish in about a minute and a half, I suggest you move the adjournment of the debate.

Mr. Deacon moves the adjournment of the debate.

Motion agreed to.

Mr. Breithaupt: Mr. Speaker, before the motion to adjourn the House, there was some comment earlier from the House leader that it might be possible to complete the

items before the House if there was a decision to sit on Wednesday. Possibly the policy secretary could get us the information so that perhaps at the opening of the House tomorrow afternoon we might get some idea as to whether we would proceed with the normal sittings of the House on Thursday and Friday morning or whether Wednesday sittings are still contemplated by the government House leader.

Hon. Mr. Grossman: Mr. Speaker, I will make sure the House leader is advised of this request.

Hon. Mr. Grossman moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:30 o'clock, p.m.

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No. 155



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Tuesday, December 17, 1974

Afternoon Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

TUESDAY, DECEMBER 17, 1974

The House met at 2 o'clock, p.m.

Prayers.

Mr. Speaker: Statements by the ministry.

MINISTRY OF CULTURE AND RECREATION

Hon. W. G. Davis (Premier): Mr. Speaker, I am pleased to inform the House that the Provincial Secretary for Social Development (Mrs. Birch) will be introducing on behalf of the government legislation later today to establish a Ministry of Culture and Recreation.

This new ministry is in response to the significant role which culture and recreation play in enhancing the quality of life and good citizenship. Although the government of this province has long provided a variety of cultural and recreational programmes, the time has now come to bring them together within a single ministry for added emphasis.

Underlying the priority the government attaches to this field is our firm conviction that individual and community involvement in the process of cultural and recreational development contributes to full and equal citizenship. The objectives of the new ministry, then, will focus on ways in which culture and recreation can enhance the general quality of life in our province.

Within this basic philosophy, the ministry's programmes will be directed to three distinct areas. First, the ministry will be responsible for assisting in preserving and enhancing our cultural heritage, including archaeological and historical sites, our art galleries, and so on. Emphasis will be given to our diversity of cultural traditions and backgrounds, and programmes geared towards maintaining the vitality of our multicultural society will be a significant part of the new ministry.

Secondly, the ministry will have special responsibility to promote access to the benefits of citizenship for both new and Ontario-born residents alike, including the opportunity to take part in sports and recreation programmes and to enjoy access to the cultural products of past and present generations. Because culture and recreation have no meaning if they cannot be shared and enjoyed by individuals, special attention will be focused on increasing public involvement, participation and enjoyment of these activities.

Thirdly, the ministry will direct its attention to stimulating the concept of individual and community excellence, whether in sports, culture and performing arts, or other forms of cultural expression. These three areas—cultural preservation, increased public access and the stimulation of creative excellence will complement each other and contribute to the cultural development of our province.

One of our great resources in this province, Mr. Speaker, it its quality of life, based on a rich and diverse cultural history. It is our goal to preserve and enhance that vital and vibrant quality.

I am sure, Mr. Speaker, that all members of the House will welcome this initiative as an historic and significant step forward for this province.

Mr. J. R. Breithaupt (Kitchener): I don't see anyone without a job.

Mr. M. Cassidy (Ottawa Centre): Who is this paragon the government is going to appoint?

Mr. Speaker: Order, please.

ASBESTOS IN GREAT LAKES BASIN

Hon. W. Newman (Minister of the Environment): Mr. Speaker, I would like to speak briefly on Ontario's programme for asbestos in drinking water. I'd like to comment and state my ministry's position on several matters concerning asbestos levels in drinking water throughout the province.

Yesterday the member for High Park (Mr. Shulman) raised the question of an unpublished report of the International Joint Commission indicating that asbestos fibres were contaminating the water supplies of Great Lakes cities. Let me first clarify the question of this report.

For several months officials of my ministry have had copies of a draft from the Great

Lakes advisory board entitled "Asbestos in the Great Lakes Basin." Let me make it very clear that this document was a draft being circulated for review and comment prior to publication. Let me also make it very clear that this is to result in a report to the International Joint Commission from the Great Lakes Research Advisory Board. It is not a report of the IJC. Mr. Paul Foley is my ministry's representative on the research advisory board and he has had the report for several months for review. Several other engineers within my ministry have been asked for and have provided comment on the draft document.

It is standard scientific practice to carry out a thorough review of all research papers in draft from before entering into the final report stage. We are aware of the danger in premature publication of incomplete or unverified evidence. Our research on the asbestos situation began in 1972, and subsequently it was published. Consequently, much of the data for this draft has been provided by published work carried out by officials of my ministry.

The data was available in published reports, and what the member for High Park has done is contrary to my ministry's and the scientific community's practice of ensuring thoroughness and scientific accuracy prior to dissemination outside the scientific community.

In September, 1973, Mr. Garnet Kay, supervisor of the contingency planning section of our pollution control branch, published an article entitled, "Ontario Intensifies Search for Asbestos in Drinking Water," copies of which I have with me. The article appeared in Water and Pollution Control, September, 1973, issue. A similar contribution entitled, "Asbestos in Drinking Water," appeared in the September, 1974, issue of the Journal of the American Waterworks Association.

Mr. Kay's findings were available and used extensively by the research advisory board in compiling the draft of its report. Until yesterday, I was not aware that this report had reached this type of preparation. I make it a practice neither to confuse nor to complicate very technical scientific work by interfering with any report while in the preparatory stage. I cannot and do not wish to be included in all the details surrounding detailed, technical papers. When my technical staff is satisfied that the best possible input has gone into a document, then I am comprehensively involved.

Further to the issue, Mr. Speaker, Ontario was one of the first jurisdictions to investigate the presence of asbestos in its drinking water, as the previously published articles indicate. In August, 1972, we collected samples at 22 Ontario cities using surface waters for their supplies. Sarnia, on Lake Huron, at that time had the highest level in the province, 3.87 million fibres per litre, which translates to a mass concentration of 0.00213 micrograms per litre. Thunder Bay, on Lake Superior, had one of the lowest counts of 0.83 million fibres per litre which translates to a mass concentration of 0.000235 micrograms per litre. Windsor, another area of concern, fell into the middle range at 1.73 million fibres per litre.

A complete list of our findings are available in both Mr. Kay's articles. With these sample results, my ministry immediately took steps to optimize the filtration facilities in existing water treatment plants in all these cities. It has long been our established policy to make maximum use of prefiltration treatment before entering the final filtration stage of municipal water supply treatment.

It is interesting to note that our research indicates similar results were achieved in recent tests by the Canadian Centre for Inland Waters. We have been able to research very high levels of asbestos removal where prefiltration coagulation was used for maximum results. My ministry has always stressed to municipalities the importance of this stage in the treatment process.

In the case of Sarnia, my ministry initiated a provincial project to design and construct a new filtration plant capable of removing 99 per cent of the asbestos fibres present in the raw water. I am pleased to announce that this plant will be operational at the latest this spring. The installation in Sarnia will utilize the best techniques we have developed through our research. It is our finding that the pretreatment of water through flocculation and coagulation will give us optimum results from existing filters. Our results are consistent with the results reported by the Canadian Centre for Inland Waters at Burlington where removal of 99 per cent of the asbestos fibres was achieved.

The Thunder Bay situation is very different. We have been watching it closely ever since we became aware of the very high levels reported in Duluth, Minn. As you know, Mr. Speaker, there is a court action under way in the US involving the source of the asbestos fibres, Reserve Mines. We are in close, constant contact with the American officials and the International Joint Commission on this matter.

The sampling at Duluth showed very high concentrations of 10 and 12 million fibres per litre. Lake Superior waters at Thunder Bay had a much lower concentration, 0.83 million fibres per litre, or 0.00235 micrograms per litre. We are monitoring the situation closely and following our practice of maximum use of existing water treatment facilities to remove these fibres. Our research programme is continuing for the purpose of developing maximum efficiency in the removal of asbestos fibres at all our present water treatment plants.

Mr. J. F. Foulds (Port Arthur): What has the minister done specifically?

Hon. W. Newman: At present, while we have clear indication of the health effects of the inhalation of asbestos, there is no clear indication of the effects of ingestion from drinking water. We have been advised by the Ministry of Health and others that the research available indicates that the levels of asbestos in drinking water of the cities we sampled does not constitute a hazard to human health.

Asbestos occurs naturally in the environment. Our efforts to this point in time have focused on determining and controlling the varied uses of asbestos in our society. We are pleased with the efforts of the many agencies working co-operatively on asbestos contamination. We are anxious to receive the conclusions and recommendations of all studies and reports. All of this work will assist us in preventing any potential danger to the health of the people of this province.

I am most surprised that, of all the members of this House, a doctor of medicine would hesitate to respect the scientific ethic which dictates maximum caution in the dissemination of scientific data.

Prior to the most comprehensive reviews aimed at establishing accuracy beyond doubt, this quasi-violation of a traditional scientific ethic borders on the sensationalizing of the asbestos situation and of the known facts, rather than as constructive assistance to the arrival at a scientifically sound report of proven and essential findings. By using common data that has been available and published for over a year, I can only conclude that the member had a self-serving intent.

Mr. Foulds: The minister would rather sit silent.

Hon. W. Newman: In any case, I welcome this opportunity to report to the members of this House on the activities of my ministry.

Mr. D. C. MacDonald (York South): He hides the facts.

Mr. M. Shulman (High Park): On a question of privilege, Mr. Speaker. The minister has accused me of prematurely releasing the report of the International Joint Commission. The fact is, sir, this report has sat in his ministry for four months and nothing has been done. The reason I released it was to warn and alarm the municipalities of this province and the people of this province to take their own precautions, because this minister has failed to do anything.

Interjections by hon. members.

Mr. Speaker: Order, please. That's not really a point of privilege. Any further statements by the ministry?

Mr. MacDonald: He sits on the facts when they are proven.

Mr. Speaker: The Minister of Government Services.

GROUP INSURANCE COVERAGE

Hon. J. W. Snow (Minister of Government Services): Mr. Speaker, the subject of employee group insurance coverage has previously been discussed here in the House.

Mr. I. Deans (Wentworth): Yes, how much does Colin Brown make?

Hon. Mr. Snow: As most of the members are aware, the Ministry of Government Services recently called for tenders from insurance companies to provide group insurance coverage for employees represented by the Civil Service Association of Ontario.

The bids received were analysed by the Joint Insurance Benefits Review Committee, composed of an equal number of representatives from the government and the CSAO, and, Mr. Speaker, a press release has been issued this afternoon by the committee. I will read the press release:

> The Joint Insurance Benefits Review Committee announced today that the government has confirmed Confederation Life as the carrier for group life, health, and long-term disability insurance. The plans cover approximately 52,000 employees in the bargaining unit represented by the CSAO.

Interjections by hon. members.

Mr. Speaker: Order, please. There is quite a bit of noise in the background. Many people may wish to hear this. Order, please. Could we have a little less noise.

Hon. J. R. Rhodes (Minister of Transportation and Communications): That's not noise, that's the member for Sudbury East.

Hon. Mr. Snow: The statement continues.

The committee, composed of both CSAO and government representatives, was established as a result of recent negotiations on employee benefits. It is responsible for preparation of insurance specifications, tendering and recommendation to the government on selection of a carrier. It is also responsible for monitoring the financial experience of the plants and reviewing contentious claims.

Confederation Life was one of 14 companies that submitted bids to provide coverage for these plans. The committee's unanimous recommendation of this company to underwrite these plans has been the basis for the government's decision.

That is the end of the press release, Mr. Speaker.

I would just like to thank all the members, the four government representatives and the four CSAO representatives, and the two independent consultants, for the excellent work they put in in reviewing these very complicated tenders and making this recommendation to us.

Mr. Speaker: Statements by the ministry.

Oral questions. The Leader of the Opposition.

GROUP INSURANCE COVERAGE

Mr. R. F. Nixon (Leader of the Opposition): Mr. Speaker, can the Minister of Government Services indicate to the House what the saving would be and the cost to the government and the improved benefits to the employees of the government in putting this package of ancillary insurance out to tendering? In other words, I am asking what the increased cost has been over these years, based on the policy of the government of not tendering this service on behalf of our employees.

Hon. Mr. Snow: Mr. Speaker, it is impossible to compare the tenders that we received from the 14 bidders for this package with previous coverage for two reasons. This package now covers only the 52,000 employees in the bargaining unit. The former coverage that was placed nine to 10 years ago covered the management classes and included the members of the Legislature as well. Also, this new package includes the supplementary health and hospital plan, which was awarded by the arbitration board in June, 1974. This plan is additional and is not part of the present plan and will come into force with the new plan. There is no absolute way really of comparing the costs of the two plans

Mr. R. F. Nixon: A supplementary: Is there any way the minister can inform the House what the direct benefit was to Mr. Colin Brown, who represented the London Life consortium, which had this coverage without tender for so many years?

Hon. Mr. Snow: No, Mr. Speaker, I have no knowledge of that portion or what Mr. Brown's involvement was

Mr. T. P. Reid (Rainy River): About $150,000 a year?

Hon. Mr. Snow: I will say that in this tender call, in the case of the 14 companies submitting bids, the bids were submitted directly by the companies to the ministry without any involvement of brokers or agents to my knowledge.

Mr. Speaker: The member for Wentworth.

Mr. Deans: Yes, thank you, Mr. Speaker, I have a supplementary question. What has become of the coverage for those who are not within the bargaining unit, the management people within the civil service and the members of the Legislature? Who carries that?

Is the minister going to table the bids of the 14 companies which tendered on the tender call?

Hon. Mr. Snow: Mr. Speaker, the coverage for the management classes, covering I guess some 10,000 or more people, is still with London Life Insurance Co. That will be retendered.

Mr. R. F. Nixon: It is getting smaller, but it is still in there.

Mr. Speaker: Order, please.

Mr. Reid: That is how Colin is paying for those ads.

Hon. Mr. Snow: That will be retendered as a separate package.

Mr. J. E. Stokes (Thunder Bay): They are getting their feet in the trough once again.

Hon. Mr. Snow: We have a tremendous job to carry out. This new contract with Confederation Life takes effect as of Feb. 1, 1975. Between now and then, if humanly possible, 52,000 contracts have to be re-written. Each member of the Civil Service Association has to submit a new form, which yet has to be printed by the successful bidder, the decision just having been made yesterday afternoon. The beneficiaries and details of the members of the Civil Service Association have to be filled in and have to be handled by my ministry. As soon as we can get that package implemented under the new contract, a new tender call will be issued similar to this one, covering the balance of the group of public servants of the province.

As to the second question, Mr. Speaker, it is one of the conditions of the tender document. I can give general information regarding the differences in quotations, but this tender document I must say is a very complicated submission.

Mr. E. Sargent (Grey-Bruce): The way the minister tells it, it is.

Hon. Mr. Snow: We had two sets of consultants, one hired by the CSAO and one by the government, to assess it.

Mr. Foulds: How about two sets of books?

Hon. Mr. Snow: They both came down, along with the staff on both sides, with a unanimous recommendation for this bid. But one of the agreements in the tender document was that complete details of any bidder's bid would not be made public or given to other bidders because this would erode the total rate structure of all the companies.

Mr. Speaker: The Leader of the Opposition.

OMB DECISION ON TORONTO HEIGHT BYLAW

Mr. R. F. Nixon: I would like to ask a question of the Premier. Now that the council of the city of Toronto has formally appealed the decision of the Municipal Board to disallow the 45-ft bylaw, can the Premier indicate to the House the timetable for the hearing of the appeal by the executive council and what the ramifications are in the instance where developers are now applying for permits to undertake buildings in the absence of the 45-ft bylaw since the appeal is before the cabinet?

Hon. Mr. Davis: Mr. Speaker, I think if the Leader of the Opposition would direct that question to either the Minister without Portfolio from Carleton or the Attorney General (Mr. Welch), he might get some of the detailed legal information. I can't tell the Leader of the Opposition what time periods there are or what the implications are of the present situation in Toronto. I think if he were to direct his question to either one of those gentlemen he might get some of that information; if not, I will endeavour to get it for him tomorrow.

Mr. R. F. Nixon: Since the Attorney General has moved out of his seat temporarily, perhaps the Minister without Portfolio could give us some information in that regard.

Hon. S. B. Handleman (Minister without Portfolio): Mr. Speaker, as I was distracted at the time the hon. Leader of the Opposition asked this question, I would be prepared to listen to it again and do my best to respond.

Mr. Speaker: Would the Leader of the Opposition repeat his question?

Mr. R. F. Nixon: What would the timetable be in hearing the cabinet appeal on the Municipal Board decision to disallow the 45-ft bylaw?

Hon. Mr. Handleman: Mr. Speaker, it would follow the usual course. First of all, we haven't received any petition whatsoever from the city of Toronto, but it would have to be looked at by the Attorney General's staff, referred to the cabinet committee which deals with these and a recommendation made to cabinet. There is no specific timetable, but certainly I would treat it as a matter of some urgency if it arrived at my committee.

Mr. R. F. Nixon: May I ask a supplementary? Has the hon. minister, in his experience on the executive council, participated in one of these appeals before? Could he therefore give some indication—

An hon. member: Many.

Mr. R. F. Nixon: Many, it is answered on behalf of the hon. member. Then what would be the general term? Are we looking at three months, six months or perhaps three weeks?

Hon. Mr. Handleman: Mr. Speaker, there is no specific term. Each one is dealt with on its merits. They vary in complexity; an easy one could be dealt with in a matter of a couple of weeks and more complex ones might be dealt with at greater length.

Mr. J. A. Renwick (Riverdale): This is an easy one.

Hon. Mr. Davis: We get all the easy ones.

Mr. Speaker: Are there any further questions?

RENTAL HOUSING PROGRAMME

Mr. R. F. Nixon: I would like to direct a question to the Minister of Housing. Is he aware that the indication from the public accounts is that the rental housing programme was underspent by over $20 million for the fiscal year ended in the spring of 1974? Can he explain why that money was not reallocated by himself or his predecessor, rather than having to bring it forward in some sense as a supplementary estimate now? Why was that money not utilized for the provision of rental housing?

Hon. D. R. Irvine (Minister of Housing): Mr. Speaker, it's very difficult for me to speak for the previous ministers in regard to how the moneys were reallocated in the fiscal year 1973-1974. I am fully prepared, as I mentioned to the leader of the NDP, to reallocate this year's funds as they are needed in each particular programme.

Mr. R. F. Nixon: Might I ask a supplementary? Was there any connection between that fund of over $20 million and the lack of success in having Metro Centre go forward, which was to have contained a fairly large number of housing units, particularly of the subsidized type? Is the minister concerned, in terms of his responsibility as Minister of Housing, about the lack of success so far in having that programme move forward at least to the extent that downtown housing might be provided?

Hon. Mr. Irvine: Mr. Speaker, I am concerned.

GLASS WASTE

Mr. R. F. Nixon: I'd like to ask the Minister of the Environment if we can expect legislation having to do with glass containers which has been promised by himself and his predecessors for a number of years. Is he really just kidding the troops when he says that this is still under study? Are we going to have some legislation that is going to bring some rationalization of the control of glass waste?

Hon. W. Newman: Mr. Speaker, as I said in the House about a week ago, I intend to table the solid waste task force report. The total solid waste task force report, which I understand just came back from the printers, I intend to table very shortly, along with a statement.

Mr. R. F. Nixon: Supplementary: Will a statement of policy accompany it?

Hon. W. Newman: It will be a statement and it will have several—

Mr. Cassidy: Yet another study.

COMPENSATION FOR DOWNGRADED FARMLAND

Mr. R. F. Nixon: Finally, with your permission, Mr. Speaker, I wonder if the Minister of Agriculture can comment on the report in the most recent issue of Farm and Country, which may have been on his desk today—it just arrived on my desk—which indicates as follows:

> Queen's Park sources say that the federation's position is being accepted in principle by the cabinet— that is, the position that there will be compensation for farmers whose lands have been either downgraded in their utility or downzoned by action of the Legislature or by direction of the government.

Hon. W. A. Stewart (Minister of Agriculture and Food): Mr. Speaker, I have not seen the issue of the paper and I have no knowledge as to the content of the statement made by the Leader of the Opposition. It is the first I've heard of it.

Mr. R. F. Nixon: Might I ask a supplementary? Since it is a matter that is discussed here from time to time, is the possibility of compensation for farmers' properties affected by land-use planning being reconsidered by the government, or do the positions stated by the minister and the Treasurer (Mr. White) previously still apply?

Hon. Mr. Stewart: Mr. Speaker, any action taken by the government or contemplated by the government would be made known in the fulness of time.

Mr. R. F. Nixon: That's great.

Mr. MacDonald: Where did he get that new phrase?

An hon. member: He sounds like Leslie Frost.

Mr. R. F. Nixon: He got sick of saying "in due course."

Mr. Speaker: The member for Wentworth has the floor.

ACID SPILL IN PELHAM TOWNSHIP

Mr. Deans: I was going to ask the Minister of Health a question, but he has disappeared. Can I ask a question of the Minister of the Environment?

How can it be that a farmer in Pelham township who had acid rerouted on to his property some two years ago by Ministry of the Environment officials because of a spill as a result of a train crash could have gone to this point in 1974 without having received compensation?

Hon. W. Newman: Mr. Speaker, in this particular case, I'm fully familiar with the spill and how it was contained on this particular property. We have had discussions with the farmer in question. We have always gone on the assumption the polluter should pay, and the polluter in this case was the railway company—CN or CP, whichever it was.

We have spent a lot of time getting detailed information. We have given some information to this person and we expect to have a full report for this farmer within a few weeks.

Mr. Breithaupt: In the next two years.

Hon. W. Newman: I realize his concern, and I realize he has no recourse to the courts to recover for damage to his property.

Mr. Breithaupt: That's disgraceful.

Mr. Deans: Since he believes that the polluter should pay, doesn't the minister feel, since the acid would not have gone on the property had it not been routed on to it by the Ministry of the Environment officials, that at least technically, if not legally, the Ministry of the Environment is equally responsible for the damages incurred by the farmer and the losses which have occurred over two years?

Mr. Speaker: Order, please. Are you asking a question?

Mr. Deans: I am coming to it. I said: Doesn't the minister agree? Isn't that a question? I said it at the beginning.

Mr. Speaker: There seems to be quite a bit of editorial material in it.

Mr. Deans: Will the minister, on behalf of the government, fulfil the obligation that was undertaken two years ago to compensate the farmer for his losses and take whatever action is then necessary against the TH and B in order to recover on behalf of the government whatever the costs are?

Hon. W. Newman: Mr. Speaker, in this particular case all the data will be given and all assistance will be given, when and if the farmer decides to prosecute the railway that created the spill in the first place. They are responsible for the spill. As a result of Environment's work on the problem we averted a major catastrophe in the whole area.

Mr. E. R. Good (Waterloo North): Give it to the ombudsman.

Mr. Deans: The ministry damaged the property.

HOSPITAL SPENDING CEILINGS

Mr. Deans: A question of the Minister of Health: Has the minister looked at the statement by the Toronto General Hospital with regard to the downgrading of services as a result of them having to cut back their staff by 33 members, which has resulted again from the ministry's cutback or ceiling on hospital expenditures? Will the minister check to find out what areas the downgrading or cutback will affect and how the public will be affected by the reduction in the service available at Toronto General Hospital?

Hon. F. S. Miller (Minister of Health): Mr. Speaker, I am aware of the reduction. In fact, I understand a delegation of employees who wish to talk to me is probably in the audience at the present time. In the main I have to leave it to the boards of management to decide which programmes can be curtailed and which efficiencies can be made. Otherwise, there would be no use in having a local board of management.

Interjection by an hon. member.

Mr. Deans: As the Minister of Health, isn't he concerned about the statement made by the hospital president? He said there will definitely be a cutback in the degree of service to the community, and that "none of these jobs was unnecessary, but it was our only choice short of incurring a deficit." And will the minister review with the board the cutbacks which are going to be undertaken to determine the impact of them on the community and the patients who require the

services, and take some appropriate steps to ensure that there will be no downgrading of health care facilities?

Hon. Mr. Miller: Mr. Speaker, I can't make any assurance that there will be no downgrading of services to the commun'ty. I can only say that I would hope that any board faced with a request from us to save funds would see that they are saved in ways that minimize any effect upon community services.

Mr. Speaker: The hon. member for St. George with a supplementary.

Mrs. M. Campbell (St. George): Could the minister ensure at least that the extended care programme, which is usually developed through the social service department of hospitals, will be an ongoing programme in that hospital, since that is certainly part of his ministry?

Hon. Mr. Miller: The extended care programme, if I am interpreting the member's words correctly, is not financed through hospital funds.

If I'm not interpreting the question properly, then perhaps I need amplification.

Mrs. Campbell: If I may, Mr. Speaker—

Mr. Speaker: Actually, it was a very general question. It didn't follow the particular hospital which was being questioned in the first place, with respect.

Mrs. Campbell: It was with respect to the Toronto General Hospital, Mr. Speaker

Mr. Speaker: It is a particular general hospital? I'm sorry, I didn't gather that in the question. You may proceed.

Mrs. Campbell: I'm sorry. The minister has asked me to amplify the question. May I therefore have permission to explain it?

In view of the fact that it is through the social service department of Toronto General Hospital that there is a liaison with staff and the ministry to ensure extended care, would the minister be in a position to ensure us that at least that programme will not be terminated or seriously curtailed by reason of this cut?

Hon. Mr. Miller: Mr. Speaker, the very reason for having a liaison with the extended care facilities is to cut hospital costs. And I would hope that if anything is done to cut hospital costs it would not be in one of these areas that a hospital deemed it necessary to reduce.

SPORTS COMPLEX

Mr. Deans: A question of the Premier: I'm sure the Premier will recall that he said when he made the announcement of the sports complex at Oakville, and I quote: "It's not something we are announcing and then sitting on for six months." That was announced six months ago.

Hon. A. Grossman (Provincial Secretary for Resources Development): That's not six months.

Mr. Deans: What exactly did he mean Will he be sitting on it for a couple of years?

Mr. Cassidy: That's the way it is.

Hon. Mr. Davis: Mr. Speaker, if memory serves me correctly, the sports complex is to be a part of or related to the Bronte Provincial Park. I only make the distinction in that the people from that community might not totally agree with it being referred to as Oakville. I think I said at the time that we would proceed with this development. We are quite enthusiastic about it.

There have been some explorations of other developments of this kind elsewhere. And while I recognize that for the hon. member to totally understand this, when you are developing a complex of this kind, a certain degree of consultation with all those in the sporting community, a certain degree of consultation with the designers, the architects and the engineers are somewhat necessary before sod is turned. I can only assure the hon. member—

Mr. Stokes: Like Thunder Bay.

Mr. Foulds: Why didn't he do that before he made the announcement?

Mr. Breithaupt: Which sod is going to become the new minister?

Hon. Mr. Davis: I can only assure the hon. member that it is proceeding, but there is a certain amount of work that is necessary, believe it or not, prior to a shovel going into the ground.

Mr. Deans: How many statements will the Premier make before something finally happens?

Hon. Mr. Davis: Mr. Speaker, I can only say that if the statements are relevant—which all statements from this side of the House are—if we feel it appropriate to make 10 statements about the sports complex at Bronte Provincial Park over the next

period of time, we will not be inhibited from so doing.

Mr. MacDonald: No, I don't think it will take that many.

Mr. Deans: Especially if there is an election in the offing.

DUMPING OF FILL IN HAMILTON HARBOUR

Mr. Deans: I have one final question of the Minister of the Environment. Has the Ministry of the Environment made contact with the federal government with regard to the recently announced continued dumping of CN fill into the Hamilton harbour?

Hon. W. Newman: Mr. Speaker, I have had correspondence on that yesterday, and we certainly are in constant contact regarding it. Is the member talking about the fill to extend the rail line? Yes, we are very much aware and we are very much involved.

Mr. Deans: What is the minister's involvement?

Hon. W. Newman: Our people have been meeting with the federal people. We are very much concerned about it.

Mr. Speaker: That is the last supplementary question. The Minister of Housing has the answer to a question.

HOUSING IN ARMSTRONG

Hon. Mr. Irvine: Mr. Speaker on Dec. 9 the member for Thunder Bay asked me the following question:

Mr. Stokes: Since the Ministry of Housing cancelled the construction of 12 homes in Armstrong with the announced closure of the radar base, and since at the present time there seems to be a surplus of homes of those people who have been forced to move out, will the ministry undertake to acquire those homes so that they could be made available to others in the community who are inadequately housed at the present time, so that we might make use of these accommodations at much, much less than the cost of brand-new housing?

Mr. Speaker, in reply to the hon. member, the Ontario Housing Corp. has been discussing with other ministries of this government in regard to improving the economic cond tion of Armstrong. We, as a ministry, will certainly give full consideration to the possibility of not building new homes but of making ues of these. We will be giving him an answer at the earliest possible moment.

Mr. Speaker: The member for Sarnia.

ASBESTOS IN GREAT LAKES BASIN

Mr. J. E. Bullbrook (Sarnia): Thank you, Mr. Speaker. In view of the concern expressed by the people of Sarnia as a result of the comment of our colleague from High Park yesterday, may I direct a question to the Minister of the Environment in two parts? Am I correct in assuming that the minister was unequivocal in saying that the building of the new filtration plant is capable of removing 99 per cent of the asbestos content at Sarnia? Secondly, do I understand the minister correctly again that his ministry has received unequivocal assurances from the Ministry of Health that the ingestion previously by the people of the Sarnia riding did not constitute a health hazard?

Hon. W. Newman: Mr. Speaker, answering the first question, the plant that is now being built will be able to remove 99 per cent of any asbestos fibre. I am informed by the Ministry of Health that the drinking of water by the people in Sarnia and elsewhere does not constitute a health hazard at this time.

Mr. Shulman: At this time, but what about in the future?

Interjections by hon. members.

Hon. W. Newman: Look, the member should stop making irresponsible statements and getting people upset.

Mr. R. G. Eaton (Middlesex South): He is irresponsible.

Mr. Shulman: Supplementary.

Mr. Speaker: One supplementary.

Mr. Shulman: Is the minister aware of the published studies that show that persons working in the environment where there is asbestos have a higher rate of cancer of the stomach and bowel than the normal population, some three times higher? Is this nothing to worry about?

Hon. W. Newman: Mr. Speaker, the member is talking about inhalation. I covered that in my statement today.

Mr. Shulman: No, I am not. I am talking about the bowel.

Hon. W. Newman: The member was talking about a report yesterday that I hadn't released.

Mr. MacDonald: Does the minister inhale into his bowel?

Mr. W. Ferrier (Cochrane South): Can't he tell the difference betwen the lung and bowel?

Hon. W. Newman: I often wonder—no, I won't say it, but I'll tell him this—

Mr. Shulman: Say it!

Interjections by hon. members.

Hon. W. Newman: I will say this much that the member should certainly make sure he gets his facts straight before he makes any statements. That's all.

Mr. Speaker: The member for Windsor West.

Mr. Foulds: Supplementary, Mr. Speaker.

Mr. Speaker: The member for Port Arthur.

Mr. Foulds: Why did the minister then fail to answer my question of Oct. 28 with regard to asbestos fibres in Thunder Bay harbour until today, after the member for High Park released the report yesterday?

Mr. Speaker: The original question had to do with the pollution of the water in Sarnia.

Mr. Foulds: We are talking about his report.

Mr. Speaker: The member for Windsor West.

Mr. Breithaupt: It is the same water. It just takes a little longer to get there.

Mr. Foulds: It's Great Lakes water.

CROWN EMPLOYEES COLLECTIVE BARGAINING ACT

Mr. E. J. Bounsall (Windsor West): I have a question of the Chairman of the Management Board of Cabinet, Mr. Speaker. Can he assure the House quite clearly that the Act to amend the Crown Employees Collective Bargaining Act will not come up before Christmas? Secondly, whenever it does come up, can he assure us that that bill will be referred to standing committee, as the original bill was in the spring of 1972?

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Speaker, when the government is ready to bring that bill forward, I will announce the course of its procedure.

Mr. MacDonald: That is very communicative.

Mr. Speaker: The member for Kent.

Mr. Deans: That wasn't what he told me yesterday.

FEES FOR TRUCKS ON INDIAN RESERVES

Mr. J. P. Spence (Kent): Mr. Speaker, I have a question of the Minister of Transportation and Communications. Has the minister taken any action in regard to the legislation where Indian bands have to pay the regular fee for fire engines? I brought this to the attention of the minister last June 18 and he promised that he would look into it. I haven't heard whether the Act has been changed or amended so that if the Indian band councils purchase a fire engine or truck their fees will be the same as other municipalities outside the reserves.

Hon. Mr. Rhodes: Mr. Speaker, I well remember the question that the hon. member placed before me. I said at that time, and I repeat, that I feel that Indian bands should be treated exactly the same as any other municipality in the purchase and the operation of this type of equipment on a particular reserve. It was my understanding that this practice has been carried out since that time. I will certainly check into it again.

Mr. Speaker: The member for Yorkview.

RECYCLING OF WASTE PAPER

Mr. F. Young (Yorkview): Mr. Speaker, a question of the Minister of Industry and Tourism: In view of the fact that in the past waste paper companies have been collecting and recycling waste paper from industry, and in view of the fact they have now ceased this practice, resulting in a backup of waste paper which has to be destroyed, is the minister examining methods of handling this situation so that the waste paper now being destroyed can be salvaged?

Hon. C. Bennett (Minister of Industry and Tourism): Mr. Speaker, we have had the opportunity in recent days of speaking with the recycling organizations for Ontario and for Canada as to exactly how we might approach the problem, not singularly as the Ministry of Industry and Tourism but also the Ministry of the Environment, as well as with industry in the province, and I have to inform this House very openly that we do not have an answer for them.

There are many complications in trying to recycle paper. The bulk of it cannot be used in the paper mills that are in close proximity to the major cities, and it would take a tremendous amount of money, freight-wise, to ship the paper back into the north country and have it processed through the mills. While we have thousands, if not hundreds of thousands, of tons of waste paper which has been collected in places like Ottawa, Toronto and other major urban centres sitting in storage waiting for the price, we hope, to rise again so that they can find a market for it, at the moment I have to inform the House that we do not know of a way in which to reprocess this paper in conjunction with the making of new paper.

Mr. Young: As a supplementary, Mr. Speaker, could the minister tell us what has happened in the past? Surely this paper which has been collected has been used in the making of paperboard and other products, and surely that need is still there? Are we cutting our forests now to supplement the waste paper that used to be used for this process?

Hon. Mr. Bennett: Mr. Speaker, at the time that they originally started to collect waste paper in this province and this country, the need for it in the industry was there, ready and available to us. We realized where it was and where it existed. All of a sudden there were a great number of people involved in collecting used paper, and the supply of it is far in excess of what they can use in the making of new paper. I understand that's really where the complication has come in; the amount of waste paper that we presently have far exceeds anything that we were able to pile up in the days previous to this.

Mr. Young: But is the minister investigating the matter so that we can hope to find a solution?

Hon. Mr. Bennett: Mr. Speaker, the recycling organization here—which is a professional group and represents industry—is continuing to review the situation to see exactly how it might be able to overcome the surplus of waste paper that is in storage in the major areas of the province. One of the problems, obviously, is the cost of freight to send this paper back into the north country, where a lot of the pulp and paper mills are located and where this paper could be used to a greater extent than it is at the moment in the making of new pulp and paper.

Mr. Speaker: The Minister of Agriculture and Food has the answer to a question.

MARKUPS IN FOOD PRICES

Hon. Mr. Stewart: Mr. Speaker, the member for Scarborough West (Mr. Lewis) asked me a question concerning beef price markups some time ago and I would like to report as follows:

The Ontario Food Council has analysed beef markups at retail, based on the carcass wholesale cost, for the first 45 weeks of 1974 at five major chains operating in Metropolitan Toronto. The council has noted no consistent increasing trend in beef markups during the 45-week study. There were variations in the 20.7 cents per pound average markup, ranging from a low of 17.69 cents to a high of 24.86 cents during the period studied. The average markup must cover such costs as labour, overhead and wrapping material costs, as well as any profits. The Food Prices Review Board, in its November, 1974, "Beef Pricing II" publication, concluded, and I quote:

> In the Toronto market at least, there has been no consistent upward trend in either wholesale or retail price spreads during 1974. The average spread in 1974 is similar to the average monthly figure of the 1967 to 1973 period reported by the Food Prices Review Board in its earlier beef pricing studies.

Mr. Speaker: The hon. member for Downsview.

CONDOMINIUM MORTGAGES

Mr. V. M. Singer (Downsview): Mr. Speaker, I have a question of the Minister of Housing. Is the Minister of Housing yet able to tell us whether or not the provisions for HOME mortgages for condominium owners are governed by statute, by regulation or by departmental direction? If so, what are the regulations or the controls that surround the granting of these mortgages?

Hon. Mr. Irvine: Mr. Speaker, the hon. member asked me that question about two days ago. I undertook to provide him with the information. I will do so; I haven't had the opportunity yet. I would say, first of all though, that OHC certainly has regulations which define exactly what happens. Whether or not there are regulations in the House is what I want to determine, and this is what I undertook to find out.

Mr. Singer: We'll talk about it in the minister's estimates.

Mr. Speaker: The hon. member for Stormont.

BILINGUAL SIGNS

Mr. G. Samis (Stormont): Mr. Speaker, a question of the Minister of Transportation and Communications: In view of the fact that he was in Ottawa last week, and in view of the fact that I have received a petition from the residents of Alfred, could he bring the House up to date on what's being done to provide bilingual signs on Highway 417, and more informative signs regarding Highway 17 and the access facilities?

Hon. Mr. Rhodes: Yes, Mr. Speaker, this particular problem has been brought to my attention by the hon. member for Prescott and Russell (Mr. Belanger) and also the hon. member for Ottawa East (Mr. Roy). While I was in Ottawa last week I met with the delegation from that particular area, and I have given them the assurance that we will adequately sign the area, as they had requested, to assure that persons travelling on Highway 417 will be aware of the communities that are located on 17. As well, I have again discussed the situation as it relates to bilingual signs with another delegation that was there, and we are moving toward providing this type of signing for them in that area.

Mr. Samis: Could the minister give us some idea when the bilingual signs would start appearing?

Hon. Mr. Rhodes: Mr. Speaker, I cannot give any definite time on it. We said that we would start to sign in the area and we would put in bilingual signs. The signing programme is going to have to follow its regular course as we produce the signs that are required. I have given the assurance that we will put up the bilingual signs that are required and have been requested in the area, but I can't give the member a definite time on it. We would like to go ahead with that programme.

Mr. P. Taylor (Carleton East): Supplementary, Mr. Speaker: Can the Minister of Transportation and Communications say whether or not he is saying that bilingual signs will go up on Highway 417 only as they are needed to replace the existing signs when they are deemed to have been up too long?

Hon. Mr. Rhodes: No, Mr. Speaker, that is not what I've said. I've said we would put up bilingual signs. The hon. member should be aware that the big complaint is that there are no signs on 417, so I'm putting them up originally and they'll be bilingual.

Mr. Speaker: The Minister of Housing has another answer to a question.

OHC BRIBE CHARGES

Hon. Mr. Irvine: Mr. Speaker, the question was from the member for Downsview. I was going to address the answer to the member for Downsview. I see he's not there, but I had better do it.

Mr. R. F. Nixon: That's all right.

Hon. Mr. Irvine: On Dec. 9 the hon. member for Downsview asked a supplementary question:

> I wonder if the minister could go back to his advisers and ascertain whether or not any refunds were received by Ontario Housing relating to certain floor tiling contracts, interior decorating contracts and painting contracts; what the amounts of these refunds were, and how in fact it came about that there were refunds made.

Mr. Speaker, I am advised that the corporation did in fact recover such funds through the activity of the Provincial Auditor and OHC's auditors. It was determined that in 1971 overcharges occurred in buildings for painting, plastering and floor tiling in the amount of $1,635. Full recovery of this amount was made from the two contractors involved.

Mr. Singer: By way of supplementary: Could the minister advise whether some of the recoveries were made as the results of good work by one of the area supervisors at the Ontario Housing development called Lawrence Heights?

Hon. Mr. Irvine: No, Mr. Speaker, I couldn't advise, but I will check into it.

Mr. Speaker: The hon. member for Carleton East.

SAND SUPPLY IN RIDEAU TOWNSHIP

Mr. P. Taylor: Thank you, Mr. Speaker. To the Minister of Transportation and Communications: In view of the fact that his department was forced to overrule Rideau township with respect to a wayside sand pit licence for Dibblee Construction Co. with respect to the construction of Highway 417, can the minister say whether or not the construction company in question and/or his ministry exhausted all possible supplies of sand closer to Highway 417—in other

words in other townships through which the highway runs—before issuing that wayside permit over the wishes of the Rideau township council?

Hon. Mr. Rhodes: Mr. Speaker, that particular matter was discussed in some detail with Mayor Tupper of Rideau township. As far as my information is concerned, and from what I am able to find from that particular incident, yes every possible source of supply was looked at by my ministry to determine if this particular grade of sand that was needed could be found. This was the closest and the most economical source for it.

In discussions with the mayor at the time we indicated this was the desire, to be as economical in the construction of this particular job as we could. We also assured the mayor we would rehabilitate that area; that the work would be done in a way that would do an absolute minimum of damage to the landscape; and would be restored. I think we satisfied the mayor that we had gone about this thing in the proper way.

I can assure the hon. member it is not our intention to avoid discussions with the various municipalities and we will co-operate in every way we can with them. In this particular case, we felt we had to take this action and exercise our rights as provided to this ministry by the Minister of Natural Resources (Mr. Bernier).

Mr. P. Taylor: I thank the minister for that response. Would he also say whether he is actively working with his colleague, the Minister of Natural Resources, to initiate a sand and gravel inventory for eastern Ontario as soon as possible?

Hon. Mr. Rhodes: No, Mr. Speaker, I am not. The Minister of Natural Resources—I do not wish to reply for him—but we have had one inventory done on aggregate resources in one part of Ontario. I can't answer whether or not that is being done in eastern Ontario. Perhaps he can.

Mr. Speaker: The member for High Park.

ASBESTOS IN GREAT LAKES BASIN

Mr. Shulman: A question of the Provincial Secretary for Social Development please, Mr. Speaker.

I would like to ask the minister a question in relation to health policy. Is it the policy of the ministry to now ask all of the cities on the Great Lakes to put in the same type of new infiltration system that Sarnia has put in in order to get rid of our asbestos as well as Sarnia's? If not, is it not considered a health hazard in other cities? If it is not considered a health hazard, why is it being put into Sarnia?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Speaker, I will take that question as notice.

Mr. Speaker: The member for York Centre.

HOUSING PROGRAMMES

Mr. D. M. Deacon (York Centre): A question of the Minister of Housing. Will the minister take steps to ensure that the housing programme announced by the federal government will be available not only for urban housing but also for rural housing, namely farm housing where there is a great need for upgrading?

Hon. Mr. Irvine: Mr. Speaker, I indicated to the House that I have written to Mr. Danson asking for a meeting before a meeting which he has proposed in the middle of January. I will be most pleased to discuss all aspects of housing, and in particular the programme to which the member has referred.

Mr. Deacon: Supplementary, Mr. Speaker: In view of the fact that farmers are generally in a low income category, we feel that this is particularly important; and would the minister take that up with the federal minister much earlier than he seems able to do at the moment?

Hon. Mr. Irvine: Mr. Speaker, I will do my best; but if someone doesn't wish to reply to me, I can't do much about it.

Interjection by an hon. member.

Hon. Mr. Irvine: I will see if it is possible that the hon. minister and myself can talk by phone or some way that is a little speedier than it has been in the past.

Hon. Mr. Handleman: He is the federal member for the member for York Centre. Why doesn't he ask him

Mr. M. Gaunt (Huron-Bruce): Supplementary, Mr. Speaker.

Mr. Speaker: Supplementary?

Mr. Gaunt: Along the same lines, having to do with housing in small rural municipali-

ties: Would the minister consider some programme whereby his ministry can undertake the OHAP programme as it applies to small rural municipalities in such a way that they can take advantage of this programme? This isn't the case now, because many of the small rural municipalities are not in the position to take advantage of the programme because they don't have the necessary bylaws setting up the standards which the ministry requires.

Hon. Mr. Irvine: Mr. Speaker, first of all, I think we have to relate to the programme directory. The OHAP programme is designed to accelerate housing in areas of low vacancies. It may be there are some rural areas in need of housing—I'm not denying that fact—but I think it might be under another programme. In any event, we have determined where the low vacancy rates are in the more urbanized areas, and to date I am not aware of a rural municipality being declined OHAP if it qualifies. Many municipalities have applied to us, and they have all been considered. If the hon. member has a municipality in mind, I would be pleased to obtain the information and look at it.

Mr. Gaunt: A supplementary, Mr. Speaker: May I point out to the minister that it's not a question of the municipalities applying, it's a question of many people within the small municipalities applying and not being able to take advantage of the programme.

Mr. Speaker: What is the member's question?

Mr. Gaunt: Would the minister consider that aspect of this problem? How is he going to see that these people who want this kind of programme in small rural municipalities are able to take advantage of it?

Hon. Mr. Irvine: I think, Mr. Speaker, that problem could relate more directly to the Ontario Home Renewal Programme (OHRP) that we have in the province, and not through the Ontario Housing Action Programme (OHAP), which is a three-way deal where we have a developer, a municipality and the province agreeing. So the municipality does have to come into the agreement.

An hon. member: A supplementary, Mr. Speaker?

Mr. Speaker: There have been enough supplementaries on that question. The question period time is almost gone.

The member for Port Arthur.

MINISTRY OF CULTURE AND RECREATION

Mr. Foulds: Thank you, Mr. Speaker. I have a question of the Provincial Secretary for Social Development. In view of the Premier's announcement this afternoon about the new Ministry of Culture and Recreation, and since it presumably will be a responsibility of the provincial secretary, can she tell us when the appointment will take place? Can she tell us if a top priority of that ministry will be the saving of the book publishing industry in Ontario? Can she assure this House that the new appointment and the announcement of the new ministry will not be a further excuse on the part of this government for procrastinating and not taking concrete action to save the book publishing industry of Ontario?

Mr. Deans: That's a good question.

Hon. Mrs. Birch: Mr. Speaker, the bill creating the new ministry will be introduced into the House today, second reading will take place on Thursday and any announcements will follow after that.

Mr. Reid: Is the member for Lambton (Mr. Henderson) the new minister?

Mr. Speaker: The member for Grey-Bruce.

MEAT INSPECTION

Mr. Sargent: Mr. Speaker, I have a question of the Provincial Secretary for Resources Development if I can get his attention—

Mr. Speaker: Proceed with the question. I'm sure it will get there.

Mr. Sargent: Is the Provincial Secretary for Resources Development in charge of the Ministry of Agriculture and Food?

Hon. Mr. Grossman: Yes, I'm in charge of agriculture.

Mr. Sargent: Okay. In view of the pending strike, Mr. Speaker, and since all the meat inspectors—here's the Minister of Agriculture and Food coming now. We'll see what he knows.

An hon. member: Ask the provincial secretary.

Mr. Sargent: I'd rather ask the provincial secretary; the minister wouldn't know anyway.

An hon. member: Who wouldn't know?

Mr. Breithaupt: Saved by "the Bill"!

Mr. Sargent: I'll direct this to the minister: In view of the pending civil servants' strike, what is going to happen to beef sales in Ontario when the meat inspectors go out?

Hon. Mr. Stewart: Mr. Speaker, I'm a born optimist. I don't think there will be any problem at all.

Mr. Sargent: A supplementary, Mr. Speaker: Would the minister consider a programme whereby the veterinarians of Ontario would stand by?

Hon. Mr. Stewart: Mr. Speaker, all of those things will be taken into consideration in due course.

Mr. Speaker: The member for Sandwich-Riverside.

SALARIES OF MEMBERS OF PARLIAMENT

Mr. F. A. Burr (Sandwich-Riverside): Mr. Speaker, I have a question of the Treasurer. Has the Treasurer indicated to the authorities in Ottawa his opinion about the inflation-provoking proposals made there over the weekend?

Hon. J. White (Treasurer and Minister of Intergovernmental Affairs): Yes sir, I have.

Mr. Burr: With what result?

Hon. Mr. White: I expressed myself as forcibly as I could on television on Saturday by calling the proposal disgusting, I made similar comments to other media representatives, both radio and print. I sent a telegram to a number of people, including the hon. John Turner, this morning—

Mr. R. S. Smith (Nipissing): Give another five bucks to Colin Brown.

Mrs. Campbell: And to Stanfield.

Hon. Mr. White: —saying that I thought such an increase would have a very bad effect on conditions across the country. I have had no reply as yet.

Mr. Breithaupt: Did the minister favour the Leader of the Opposition with a telegram?

Hon. Mr. White: I did.

Mr. Speaker: The oral question period has expired.

Petitions.

Presenting reports.

Hon. Mr. Bennett presented the annual report of the Ontario Research Foundation for the calendar year, 1973.

Mr. McNeil, from the standing resources development committee, presented the committee's report, which was read as follows and adopted:

Your committee begs to report the following bill, with certain amendments: Bill 134, the Employment Standards Act, 1974.

Mr. Speaker: Shall Bill 134 be reported?

Bill 134 reported.

Mr. Speaker: Shall this bill be ordered for third reading?

Agreed.

Mr. Speaker: Motions.

Hon. Mr. Winkler moves that the House again resolve itself into the committee of supply for one sitting of 2½ hours for the purpose of considering the supplementary estimates.

Mr. R. F. Nixon: Mr. Speaker, it is a strange motion that is before us. I understand the advice to the House leader was that in fact no debate under our rules was permissible, since the time had run out for the consideration of estimates. I believe if that kind of advice had been accepted then the government wouldn't have the right to introduce any supplementary estimates.

In my view the rules as we've agreed to them over the past number of years don't put any strictures on the consideration of supplementary estimates, and I would ask that the minister reconsider this motion so that the estimates of half a billion dollars are going to be debatable in this House without an artificial limit. I know the minister has made it clear that he does not want to ram anything through the House, and he does not want to burden us as we come toward a Christmas recess with sitting longer hours; but surely the imposition of this resolution establishes a precedent that is unacceptable.

Mr. Deans: Mr. Speaker, if I may, I would like to join almost totally with the Leader of the Opposition in his comments. I don't quite understand how the suggestion could have been made that if the government has the right to introduce supplementary estimates we in the opposition don't have the obligation, not to say the right, to have an opportunity to debate and discuss the ex-

penditure of those funds. If that were to be a ruling of the Speaker that the opposition shouldn't have the unfettered right to discuss the supplementary estimates, then surely there would have to be an appropriate decision also by the Speaker that supplementary estimates would have to be brought in prior to the final vote on the estimates.

I want to suggest that we not have a motion that closes it, but rather that we have a motion that permits discussion of supplementary estimates starting sometime in the next five or 10 or 15 minutes, and that we guide the time needed according to the amount that has to be said about the expenditures that are being asked for.

My understanding, sir, is this: The government is, in fact, asking for permission to spend an additional sum of money to that which they asked for in the budget.

An hon. member: They think they have a divine right.

Mr. Deans: At the time they asked for it in the budget the opportunity was afforded to members of the Legislature to discuss fully the expenditures as they relate to their constituents and to the Province of Ontario. I want to suggest to you Mr. Speaker, that to then come before the Legislature to ask for a further sum of money in itself requires that an adequate time period be set aside for discussion of that without there having to be a government motion.

Like the government House leader, I would like to think that we would be finished by 6 o'clock. But the fact of the matter is that it is entirely possible there may be matters there which one or two members may want to discuss more fully than others, and it may take a little longer than that. I don't think the government would want to be burdened with the suggestion that they had not permitted adequate debate on expenditures of this magnitude.

Mr. Singer: Mr. Speaker, may I speak to the motion? The motion moved by the House leader was:

> Be it ordered that the House again resolve itself into the committee of supply for one sitting of 2½ hours for the purpose of considering the supplementary estimates.

In keeping with what has been said by my leader and the hon. member for Wentworth, it would seem to me that if we are tied to one sitting of 2½ hours it would be reasonable to conclude that the government is again attempting to stifle debate, attempting to muzzle the members of the opposition.

Mr. Cassidy: Same old story; same old story.

Mr. Singer: —and prohibiting reasonable discussion of this very substantial expenditure.

Mr. Stokes: They think they are doing us a favour to discuss it at all.

Hon. G. A. Kerr (Solicitor General): The members don't talk money. They talk everything under the sun but money. They don't talk about the estimates.

Mr. Singer: Mr. Speaker, in order not to prolong this debate, could I move an amendment to the motion now before the House, that the motion be amended by removing the words "for one sitting of 2½ hours," so that it would read, as amended:

> That the House again resolve itself into committee of supply for the purpose of considering supplementary estimates.

Mr. Breithaupt: Mr. Speaker, I would speak in favour of the amendment by the member—

Mr. Speaker: Perhaps we should place the amendment first of all.

Mr. Singer moves that the motion as presented by Mr. Winkler be amended by removing the words "for one sitting of 2½ hours."

Mr. Breithaupt: Mr. Speaker, a sitting of 2½ hours, you know, is really only 150 minutes, and I would think that these additional estimates should pass—

Interjections by hon. members.

Mr. Breithaupt: —at a somewhat greater level than $3 million each minute. Surely $3 million a minute is going a bit speedy, even on these estimates?

The problem, of course, arises in that part 14 of the rules of order referring to supply does not refer—at least I have not found any reference—to additional supplementary estimates. It seems worthwhile that there should be a rule with respect to dealing with supplementary estimates, and I would commend to the Speaker that perhaps this matter should be dealt with and formalized in a rule.

I suppose it would, of course, mean the possible ability of the government to bring in supplementary estimates as large or larger than the original budget on an occasion if it was so minded to do. The end result would be that if the time otherwise allocated for

supply had passed in accordance with the terms of part 14, then obviously there would be no opportunity to have known during the time of the original budget and the time allocation for debate on that area what, in fact, might be coming in the form of supplementary estimates.

It certainly appears to me that over the past few years we have dealt with the matter of supplementary estimates quite reasonably, on the understanding that there would have to be, from time to time, additional government programmes which would require additional funds.

We realize that this requires some scrutiny and I would hope that we could set the precedent today that dealing with supplementary estimates, if they are vital to be brought forward by the government, should receive the response from the opposition that requires the same vitality in discussing them at an unfettered length. I think if we do that in this circumstance, and have the amendment supported, we will come to a satisfactory conclusion in good will to deal with these; and that perhaps before we have supplementary estimates another year we could agree to a procedure and a rule with which to deal with this.

Mr. Speaker: The hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Speaker. I would like to speak in favour of the amendment put forward by the member for Downsview.

The original motion as put forward by the House leader introduces a very dangerous precedent into this Legislature, and that is the precedent of closure. That is not only a stfling of debate but a limit on the time of that debate.

At the present time there is no rule in the order of proceedings governing supplementary estimates, and my understanding would be that such a motion needs the unanimous consent of the House, not just a majority vote. The House, surely, is willing to debate the motion and willing to debate the supplementary estimates. We are also, I think—if I understand the mood of the House correctly—willing to do it on the speediest possible terms, but we object very strenuously to what I may say is a sneaky back-door motion to include the principle of closure in that motion.

Mr. Speaker: The hon. House leader.

Hon. Mr. Winkler: Mr. Speaker, in reply to the contributions that have been made, I would like to say this, that as the rules stand the time for the consideration of estimates has, in fact, run out. I inquired and found out that this was absolutely correct.

Mr. R. F. Nixon: So have the estimates.

An hon. member: Send it to a standing committee.

Hon. Mr. Winkler: Will the members let me finish please?

Now, there was another way that this could have been achieved; I could have done it, as the Chairman of Management Board, I could have done it all by Management Board order. Now, I also know what response that would have brought from the opposite side of the House. I am very well aware of it.

Mr. Deans: The same response.

Mr. R. F. Nixon: The response would be, "unacceptable".

Interjections by hon. members.

Mr. Speaker: Order please.

Hon. Mr. Winkler: Therefore, the only way I could bring these expenditures before the Legislature was to do it by supplementary estimates, with some understanding.

Interjection by an hon. member.

Hon. Mr. Winkler: Now, as a matter of fact, I am inclined to accept the terms of the amendment; excepting that I would suggest that rather than the time allotted within the motion that I presented, that it would be brought to some conclusion on this day.

Mr. R. Haggerty (Welland South): That's the best news we have heard all year.

Interjections by hon. members.

Mr. Deans: May I ask a question in regard to that, because I want to be clear. That it bring about some conclusion on this day would be satisfactory, provided there be no other order of business called until such time as it is concluded. But I would be worried that the minister might come at 8 o'clock and call another order of business.

Hon. Mr. Winkler: I'll make it very clear, Mr. Speaker, that if they want to sit all night tonight, I'll sit.

Mr. Haggerty: We'll sit all next week.

Interjections by hon. members.

Mr. Deans: That runs contradictory to what the Premier said. He said we wouldn't sit all night.

Hon. Mr. Grossman: Members opposite are asking us to.

Mr. Speaker: Let's not raise any further possibilities.

Mr. Breithaupt: If I may briefly make a suggestion; possibly the House could agree to sit through the supper hour, if necessary, so that estimates could be dealt with.

Mr. Stokes: Oh, come on.

Mr. Foulds: Pass the amendment.

Interjections by hon. members.

Mr. Ferrier: The member should speak for himself.

Mr. Speaker: Thank you for all the suggestions. May I just comment that in my opinion the supplementary estimates have never formed part of the time allotted to estimates. That part of the motion is in order.

To answer the other question, about requiring unanimous consent, in my opinion this does not. It is a motion, as all other motions, and it will be voted on as such.

Now we come to the amendment to the motion. Those in favour—

Hon. Mr. Winkler: Let's hear it again, Mr. Speaker, please.

Mr. Speaker: The amendment? Mr. Singer moves the deletion of the words "for one sitting of 2½ hours" from the original motion.

Mr. R. F. Nixon: It would read?

Mr. Speaker: So it would read: "That the House again resolve itself into the committee of supply for the purpose of considering the supplementary estimates."

Shall this amendment carry?

Agreed.

Mr. Stokes: Shows how reasonable we can be.

Hon. Mr. Winkler: I would like to ask the member for Downsview, in all good conscience, would he like to put a time on the consideration? Would he like to, say 10:30?

Mr. Singer: Mr. Speaker, since I have been asked a question, let me say this—

Mr. Deans: I think it is a tempest in a teapot.

Mr. Stokes: Let us demonstrate how reasonable we can be.

Mr. Singer: I am certain that all members, particularly the members in my party, will do our best to co-operate. But we feel the amendment should stand in the form it has been put.

Mr. R. F. Nixon: Mr. Speaker, might I just add further that surely the House leader recalls that basically there was no limit on the discussion of these government expenditures. We went through the procedure where we talked about them all summer long. It was by agreement of all parties that we accepted the limitation of a time, which has just run out. Accepting the motion in the terms the minister would attempt to have us accept it would mean that we give up the right—which should lie with this assembly—to debate without limit. So therefore, we cannot accept his suggestion and must vote in favour of the amendment.

Hon. Mr. Winkler: I can't tell the leader what the understanding was last summer.

Mr. Speaker: Actually the motion has been put and carried.

Hon. Mr. Kerr: Carried? No, it hasn't been carried.

Mr. Speaker: Yes, the amendment has been carried. So the House again resolves itself into the committee of supply for the purpose of considering the supplementary estimates.

Hon. Mr. Kerr: What? I didn't get a chance to vote. When did you ask for the motion?

Mr. Stokes: Getting a new House leader?

Hon. Mr. Grossman: Just shows how reasonable we are.

Mr. Bullbrook: Getting used to governing on this side.

Mr. Speaker: Order please.

Interjections by hon. members.

Hon. Mr. Grossman: Tomorrow morning they will all be sorry we have been so reasonable.

Mr. Speaker: Order please. We will never get into them if we don't keep quiet.

Introduction of bills.

MINISTRY OF CULTURE AND RECREATION ACT

Hon. Mrs. Birch, on behalf of Hon. Mr. Davis, moves first reading of bill intituled, An Act to establish the Ministry of Culture and Recreation.

Motion agreed to; first reading of the bill.

Hon. Mrs. Birch: Mr. Speaker, as indicated in the earlier statement read by the Premier, the new Ministry of Culture and Recreation is in response to the significant role which culture and recreation play in the enhancement of the life of this province. Although the Ontario government has provided a variety of cultural and recreational programmes, we now believe the time has come to bring them together within a single ministry.

NORTH PICKERING DEVELOPMENT CORP.

Hon. Mr. Irvine moves first reading of bill intituled, An Act to establish the North Pickering Development Corp.

Motion agreed to; first reading of the bill.

Hon. Mr. Irvine: Mr. Speaker, the bill establishes a development corporation to prepare plans for development and to develop the North Pickering planning area in accordance with the plan.

The bill provides for the appointment of the board of directors by the Lieutenant Governor in Council. The board will manage the affairs of the corporation within the policy and financial framework established by the government. The corporation will have the power to borrow from the federal and provincial governments, their agencies and chartered banks. The bill also provides that the corporation will implement the plan under the provisions of the Planning Act.

Mr. Speaker: Orders of the day.

Clerk of the House: Order for Committee of supply.

Mr. J. R. Breithaupt (Kitchener): Mr. Chairman, can I inquire, before we commence, whether it is the intention to proceed through these ministries in the sequence we find them in the book? I would think, if such is the case, we will be able to have our people ready for items as they are called, and presumably it would be a convenience to the ministry as well.

Mr. Chairman: It is the Chairman's understanding this is the order we would follow where possible. I understand that the first ministry, the Ministry of Government Services, isn't available right at the moment and we will come back to the minister as soon as he's here.

Mr. Breithaupt: Since the Minister of Government Services (Mr. Snow) is now here, will he be taking his own estimates and who will be doing the Office of the Speaker? Will it be the Minister of Government Services? Perhaps if it would not be inconvenient, could we commence then with the Minister of Government Services?

Mr. Chairman: Yes, if the hon. minister is here now, we will revert to vote 701, the Office of the Speaker.

SUPPLEMENTARY ESTIMATES, OFFICE OF THE SPEAKER

On vote 701:

Mr. Breithaupt: Do you wish us to discuss this matter section by section or will general comments be acceptable, Mr. Chairman?

Mr. Chairman: I would suggest we discuss this vote item by item. Is there any discussion on item 1? The hon. member for Carleton East.

Mr. P. Taylor (Carleton East): Thank you, Mr. Speaker. I rise at this time out of a deeply felt concern for the quality of debate and the quality of legislation being produced in this House. I would like you to convey to Mr. Speaker that I fully support him in his efforts to bring some order to this House and generally to raise the level of performance here. Nothing I am about to say should be construed as a reflection of any kind on the Speaker's work in this House. The moneys outlined in this supplementary estimate will not be wasted here. Anything to render the office of Mr. Speaker more independent of politics is to be welcomed.

Mr. Chairman, the area of real concern to me at this time—and I know it is of equal concern to you as well—is the way the business of this House is deliberately mismanaged by the government House leader who, I'm sure, is operating under strict instructions from the Premier (Mr. Davis).

Mr. Chairman: Order, please.

Hon. G. A. Kerr (Solicitor General): Is that why the members wanted the extra time, to listen to this nonsense?

Mr. Chairman: I would rule these remarks have nothing to do with the Office of the Speaker and I would ask the member to keep to the vote.

Mr. M. Cassidy (Ottawa Centre): What do you mean? Of course it's relevant, Mr. Chairman.

Mr. Chairman: These are supplementary estimates and I do not see that the matter under discussion, mismanagement of the government business by the House leader, has anything to do with this vote.

Mr. Cassidy: On a point of order, Mr. Chairman.

Hon. W. A. Stewart (Minister of Agriculture and Food): He wouldn't know whether it was managed or not.

Mr. Chairman: The hon. member for Carleton East has the floor.

Mr. P. Taylor: Mr. Chairman, would you care to suggest under what item this could more aptly be discussed?

Hon. Mr. Stewart: In the budget debate or the Throne Speech, that is where the member should be talking about it—in the Throne Speech or the budget debate.

Mr. Chairman: I assume that would have been discussed in the main estimates.

Mr. Cassidy: On a point of order, Mr. Chairman, anything that is relevant on the main estimates of a particular item is relevant if a supplementary estimate is brought in in that particular area. There's no question about that.

Hon. Mr. Kerr: No it isn't. Don't start a major speech.

Mr. Cassidy: It happens that this is a $500 item, but if the hon. member for Carleton East wants to talk for a few minutes or even for half an hour about it, that is his privilege. I'm sure that members of the government realize that we don't intend to stay here until Christmas dealing with these particular estimates.

Hon. Mr. Kerr: We'll sit all night, that's for sure.

Mr. Cassidy: But the kind of reaction right away, as soon as somebody speaks more than two minutes, is that we have provoked them and that they are somehow going to have a bit of discomfort around this place, is a bunch of nonsense.

Mr. Chairman: The Chair would rule that you are not indicating any discomfort to the Chair. I might say that, again, the supplementary estimates deal with the amounts of money that are before us.

Mr. Cassidy: No. They deal with the purpose of those amounts of money.

Mr. W. Ferrier (Cochrane South): What is the $500 for?

Mr. Chairman: This deals with the Office of the Speaker. We must stay to that and not discuss any other part of the government.

Mr. V. M. Singer (Downsview): He's talking about the Speaker's Office.

Mr. Ferrier: What is the $500 for?

Mr. Cassidy: What is the $500 for?

Mr. P. Taylor: Mr. Chairman, as you know, if you've been following the proceedings—and I know that you have—I won't be taking very long on this subject this afternoon. I would appreciate the opportunity to do so, because if we're talking about the expenditure of $500 in this House, what I am about to say is directly relevant to that expenditure because it relates to the conduct of this House.

Mr. R. G. Eaton (Middlesex South): The member should tell it to his colleague sitting directly in front of him.

An hon. member: Carry on.

Mr. P. Taylor: One can only assume that this government does not want members on all sides to be fully conversant with each bill as it comes before us. The government does not want to encourage a higher quality of debate, and therefore by extension I believe this government puts itself in the position of deliberately creating poor-quality legislation which has a snowball effect. One bad law creates opportunities to bring in subsequently badly-worded bills to amend the previously badly-worded bills.

Mr. R. Haggerty (Welland South): Right. Like the land speculation tax.

Mr. P. Taylor: Right on. Before dealing with some specific examples of what I would call legislative mismanagement by design, first I want to say that I've been very impressed by the Camp commission reports and their recommendations to improve the quality of the Legislature in general, and that certainly is relevant to the item we're discussing.

Mr. Chairman, perhaps on another occasion under different conditions I might have an opportunity to suggest specific changes of rules that would go a long way toward achieving this objective. Maybe you would give me some guidance at a later date as to when it is appropriate to do so.

Let's look at what is actually happening in the House now. These supplementary estimates are a very good example of the kind of thing I am talking about. We saw them for the first time yesterday, and already today we are supposed to be discussing them in detail. That, of course, is a ridiculous suggestion.

The bill with respect to the Heritage Foundation of Ontario was given first reading in this House last Thursday. Many of us didn't see the printed version until the following Friday and it was up for debate on second reading the following Monday—yesterday.

The bill that is designed to have certain serious implications for the travel agency business was introduced Thursday, Dec. 5, seen by most of us for the first time the next day and brought forward for debate on second reading the following Tuesday. In that particular case you could almost argue that that kind of timetable is reasonable, but the big catch on that one was its implications for a very large industry. Members on this side of the House were forced into debating the principle of a bill long before it was possible to ascertain the opinions and reactions of the people most immediately affected, namely, the travel agents.

Some hon. members: Hear, hear!

Mr. P. Taylor: There is another, more immediate example. Our House leader only learned this afternoon, at approximately 2:15, that this House would not be sitting tomorrow. Now that is a situation which is directly counter to what the government House leader said at the beginning of the fall session, which was that this House would sit five days a week. Every Tuesday we sit in anticipation of learning whether or not we are going to sit on Wednesday, because of the record of the last few months.

This is an inconvenience of large proportions to the 60-odd members who live some distance from this House. More important, it is an insult, calculated to keep the members on this side continually off balance with respect to House business and a schedule of debates. It directly affects our ability to serve our constituents and it is a deliberate action by the government.

Witness this afternoon's blatant attempt by the government House leader, who is a man with House of Commons experience, who came down here to show us how to do it and who puts forward a motion based on non-consultation that, of course, was the subject of—let's put it this way, cooler heads prevail.

There are back-benchers on the government side—and there aren't too many around today—in the same position who say to me: "Now what are you complaining about? They do the same to us." I know this is a fact, because I went and asked one of the government back-benchers this afternoon whether we were sitting tomorrow and he didn't know. I say that situation is proof there is a small group of men and women over there—namely the government—which has indeed lost touch with the reality of governing. They don't care about anybody except themselves; their own members don't even know what is going on.

In conclusion, Mr. Chairman, I just want to deal with two rules which I feel are relevant to this discussion. One is the business of ministerial statements. Under the present rules on this score, ministers can rise in their places and say anything they want, of any length relevant or not, and there is no way in which members of the opposition can respond. That situation is undemocratic and should be corrected at the soonest opportunity.

There is another item which is directly relevant to the rights of members, and that is the business of ministers responding to questions posed at an earlier date. They come back to this House with written answers. I have been keeping a tab of one minister in particular—the Minister of Housing (Mr. Irvine), and he has consumed something like 20 minutes this week alone in responding to questions posed at an earlier date.

That, again, is wrong. Government ministers are consuming time allotted to the opposition in this House. If the rules were properly written in this House, they would be bringing in a written answer, rising in their places and saying they would like to consider the answer as read, and then giving us a chance to read it and comment on it at a later date; or else they would make the statement on the time allotted to ministerial statements.

Thank you, Mr. Chairman.

Mr. Chairman: Shall item 1 carry?

Mr. I. Deans (Wentworth): No.

Mr. Chairman: I wonder if the Chair could pass one further comment. The Chair is sympathetic to the hon. member for Carleton East in his desire to talk on the matters that he discussed. It seems to me, though, we should keep to the expenditures, or to that area of the vote. It would have seemed a little more appropriate to have discussed that in item 4, but we did allow it to continue under item 1. I wonder if the member for Wentworth would continue the debate and perhaps keep his remarks to the item.

Mr. Deans: I certainly intend to continue the debate and I'll do my best to keep my remarks to the item. I don't know if this is true or not, but I understand that $500 is for additional salary. I want to talk to you, Mr. Chairman, about the use to which that additional salary might be put.

It might be useful, if it's going to someone in the Office of the Speaker, some one staff member, that that staff member be assigned the responsibility of sending a notice out to the Liberal House leader and myself and the government House leader, asking us if we'd like to come to a meeting. That meeting might well take place for the purpose of discussing the rules of the House. I think that would have been an appropriate use to which that $500 might be put.

Mr. J. F. Foulds (Port Arthur): The entire amount.

Mr. Deans: I think that clerk or secretary, or assistant to the Speaker might draft up, with the help of the member for Kitchener, myself, the government House leader and perhaps other members of the House who have an interest in such things, some of the concerns and problems that have developed with regard to the interpretations placed on the rules of the House over the last two or three years since they were last redrafted.

Mr. Breithaupt: This afternoon's experience, for example.

Mr. Deans: I think, for example, it might be a useful expenditure of $500 if that clerk were to devote a little time to calling a meeting and even attending the meeting as the secretary to this ad hoc committee. Let's call it, for the purposes of this discussion, a House committee. It's a novel name, we've never used such a name before. Maybe the Speaker could have a House committee with this $500 going to be paid to someone on the Speaker's staff. It could reimburse that person for sitting with the House committee and keeping notes of the deliberations of the House committee as it talks about the rules as they have been applied, fairly and unfairly.

What I'm really saying to you is this, Mr. Chairman, under this vote of the office of the Speaker, there are those of us on this side of the House and some people on that side of the House who think the rules don't quite do the things they were intended to do. There is room within the rules, the standing orders of the House, for some improvement. The government should bear in mind, when it's considering by virtue of its large majority, whether or not it approves of the reference of standing orders to the Speaker's House committee, that it may not always be the government, that at some point it may have to live with the rules it has established. It may, in fact, have to sit on this side of the House some day and try to approach the then government of the day with the rules as they are now.

I want to tell them, through you, Mr. Chairman, to the Speaker, that if within this $500 we could as a Legislature draft rules which would be sufficiently explicit as to be able to deal with the major problems that have confronted us over the last two or three years, and if we were to modernize the rules and take into account such things as supplementary estimates and take into account such things as motions available to opposition parties under the general heading of non-confidence motions, and the way in which and the times at which they can be used, then I think we would have gone a long way toward improving the relationship between the government and the opposition and, also improving the general atmosphere of the Legislature.

There is nothing more aggravating than to have a ruling made that is to many of us not only unacceptable but capable of interpretation as running counter to the standing orders. To have rules interpreted in such a narrow way means that we on this side of the House are effectively muzzled in our efforts to point out to the government and to the public at large some of the areas in which we feel the government might do its job a little better.

I think that we're quite happy to pass this $500. It's a large sum, mark you, Mr. Chairman, but we're prepared to see it go through, provided we can have some assurance that the Speaker recognizes there needs to be a review of the standing orders and that that $500, whether explicitly or otherwise, will be used to enable his office to undertake such a review so that this House will operate more effectively. This $500 might be used to convey the ideas that the Speaker has conveyed to

the House leader for the Liberal Party and to myself, and I think to the House leader of the government party, that he, too, is concerned about the rules and would like to see them reviewed and perhaps updated.

This $500 could be spent to bring us into the 1974s and 1975s rather than leave us back in the 1970s. In 1970 the rules may have appeared to be appropriate, but in today's society in this Legislature the rules don't provide us with the opportunity—not only us in opposition but us in general—to express concerns and views that we think have to be expressed if the job that we are elected to do is to be done effectively.

I think the member for Carleton East was asking for exactly the same thing, and that's the reason I thought he was right in order, because I would never be out of order and therefore he must have been in order. I would hope that that $500 would be spent on those things.

Mr. J. E. Bullbrook (Sarnia): That is a syllogism.

Mr. Chairman: Does item 1 carry?

Mr. Bullbrook: No.

Mr. Chairman: The hon. member for Sarnia.

Mr. Bullbrook: Thank you very much, Mr. Chairman, I'm most appreciative of that.

I want to speak about what I have discussed with colleagues of mine on the subject of Bill 170; that a great deal of this money will be, in effect, an implementation of a statute that hasn't passed. I want to direct the attention of all members, especially the hon. Minister of Agriculture and Food and the hon. Solicitor General, to the appropriation of $380,000 that we are called upon to vote to the Progressive Conservative Party for their sessional and other requirements, a substantial portion of which—

Mr. Chairman: This is vote 201, item 1.

Mr. Bullbrook: We are just on item 1? I'm out of order.

Mr. Chairman: The hon. member for Port Arthur.

Mr. Foulds: Thank you, Mr. Chairman, I'd like to speak briefly on the $500 item under salaries and wages in the Speaker's office.

It has come to my attention that the Ontario Legislature violates two basic principles through the administration of the Speaker's office with regard to minimum wages and with regard to indemnities for the pages. It has always been quite shocking to me, frankly, that the pages get an allowance, I believe, of $5 a day and often they work more than an eight-hour day. And it's always been shocking to me that we don't allow more expenses for the pages under the Speaker's appropriation.

For example, if someone comes from my riding in Thunder Bay—or my riding of Port Arthur in the city of Thunder Bay.

Mr. J. E. Stokes (Thunder Bay): Yes, watch that.

Mr. Foulds: Or further away—say from the riding of Thunder Bay or from the riding of Kenora—that page must pay for his or her plane fare down to the Legislature on two occasions. On one occasion the page comes down before the session for which the page is assigned to get a fitting, and in the case of the pages from my riding that now costs $113 return.

Mr. Cassidy: The Solicitor General says they should hitch-hike.

Mr. Foulds: Yes, well that is just the concern that he has for workers and servants of this House who are under 14 years of age.

Mr. Ferrier: While he goes around in his chauffeured limousine. My goodness.

An hon. member: Where's the Solicitor General's social conscience?

Mr. Foulds: They have to pay $113 return fare from the city of Thunder Bay to the Legislature for a fitting, simply to get their little uniforms redone from the used ones of the session before. Then they have to pay that fare once again when they come down for the session of a six-week period, and that is absolutely unreasonable and ridiculous.

I would also suggest that the Speaker allow the pages from ridings that are not within an hour's drive or so at least two trips home on the weekends during the six-week period that they are in service to us, and that the Speaker's office should pick up that expense. The very basic reason here is, we have, once again, an argument about accessibility.

If we agree that the page programme is a good programme and a programme that should be open to all the children of the province who have attained the academic qualifications that are put on it, then it should be open to all the children of the province, whether that child lives in Windsor, or Ottawa, or Thunder Bay, or Winisk, or Kenora,

or Big Trout Lake or where have you; and he should not have on him an inhibition because of the family economic circumstances.

What we have to do is democratize that programme. At the present time, it favours those who are close to the centre here in Toronto, or it favours those children whose families can afford the expense of the plane fare. I would like to put it to you, Mr. Chairman, and have you put to the Speaker—and I'm sure that I would get agreement from all members of the House—that I would be quite willing for that supplementary estimate of $500 to be raised quite substantially if it were devoted to democratizing in an economic way the programme for the pages.

Mr. F. Laughren (Nickel Belt): At least he could give them the minimum wage.

Mr. Foulds: And give them the minimum wage. Let's not be chintzy with people who serve us so well. The pages provide a very fundamental and valuable service for the members. They often run to our offices to get files for us, because of the mismanagement of the government House leader when he suddenly calls a bill or an estimate that we are not expecting.

Mr. B. Gilbertson (Algoma): Come on, quit playing dirty. That's just wasting the time of the House.

Mr. Foulds: As a matter of fact, I am not wasting the time of the House and I'm not playing dirty. I'm being very, very serious.

Mr. Gilbertson: It is sarcasm to the government.

Mr. Chairman: Order; order please.

An hon. member: He is just trying to be Santa Claus.

Mr. Cassidy: Bring the member from Algoma to order, Mr. Chairman.

Mr. Foulds: Thank you, Mr. Chairman. I think my remarks will show up on the record as being sound, reasonable and quite justified, and entirely in order under this vote, because surely it is under the vote of salaries and wages for the Speaker's office that the pages are given their allowance. I am just saying there should be additional expenses for them under the four points that I have made. Thank you, Mr. Chairman.

Mr. Chairman: Item 1 carried? Carried. Item 2, Hansard.

Mr. B. Newman (Windsor-Walkerville): Item 2, Hansard, right. I wanted to make a small recommendation and suggestion to the minister that would accommodate us as members, as well as the pages. When we receive various bills and so forth from the ministry they are generally two-hole punched in one fashion or another and no way can we come along and interchange them in a book.

Mr. Cassidy: Take a good look at that.

Mr. B. Newman: All you would have to do, Mr. Chairman, is see that bills, and other Hansards, have six holes in them, so that they could go into it.

Hon. S. B. Handleman (Minister without Portfolio): There are no holes in them.

Mr. Foulds: Some of them are riddled with more holes than that.

Mr. B. Newman: See how simple the suggestion is?

Hon. Mr. Handleman: We don't have bills with holes in them.

Mr. Bullbrook: You don't know whether you are punched or bored.

Mr. Foulds: Let's hear it for the six-hole punch.

Mr. Chairman: Shall item 2 carry. Carried.

Now item 3.

Mr. Cassidy: On item 3, Mr. Chairman, the points about the misadministration, the shocking maladministration of the elections in the Carleton East by-election have already been made in this House and shortly thereafter. You've no idea of the difficulties, Mr. Chairman, that people had in that particular riding trying to cope with the election list, trying to cope with a totally incompetent returning officer in that particular riding, trying to cope with continued difficulties of interpretation, a lack of co-operation, a lack of understanding of the difficulties that people had to work through.

I hope that those points will be repaired. I wish the government and the chief electoral officer would carefully go through the people who have been named as returning officers in the various ridings across the province and would systematically weed out the misfits and the incompetents and the other people who have caused difficulties in the past, and would ensure that there are people there who can give a fair, impartial

and competent service in what is a very difficult kind of job.

I would hope, in addition, since we are coming up to a provincial election shortly, that the chief electoral officer would hold a series of seminars or training sessions for people who will be involved in election administration, that he would anticipate in advance some of the difficulties of interpretation that might take place, that he would anticipate and think through the problems of the enumeration so that we don't have the problems that we had in both Stormont and Carleton East, but particularly in Carleton East; and that he would do everything in his power to ensure that the lessons of that by-election are well learned and we don't have to suffer from that kind of frustration in the general election.

Mr. Chairman, the member for Carleton East has quickly recognized the kind of frustration we all experience here in this House. It is a frustration as well in a democratic system to have to cope with that kind of thing when you are trying to do the impossible and fight election campaigns outside as well.

I'd like to make the particular point that in both the Stormont and the Carleton East by-elections between 35 and 40 per cent of the electorate was francophone. Many of those people speak French at home as a matter of custom; a substantial number in both ridings are in fact exclusively French-speaking.

Alors on se demande comment un francophone, habitué à parler en francais à la maison, habitué peut-être ã travailler en français, et même peut-être unilingue francophone, peut vraiment exercer ses droits démocratiques dans une élection provinciale, quand il entre dans un bureau de vote et trouve que toutes les instructions sont exclusivement en anglais.

That just doesn't make any sense at all, Mr. Chairman, I would ask the minister very seriously that a commitment be made for the 1975 election that in ridings with a significant number of francophones, the election instructions, the notice about bribery and all the other material that is required, be made available in bilingual form or be posted both in English and in French. It would seem to me that it would make sense that the instructions to the returning officers in each poll should be bilingual and that, in addition, the effort should be made to ensure that in every poll where there are a significant number of francophones that at least one of the election officers be bilingual.

It just didn't make any sense at all to find some nice English-speaking people, from an English-speaking part of Carleton East, sitting in polls in areas which are almost completely francophone completely incapable of communicating with some of the people that came there.

It's not right to treat francophones in this province the way we treat Samoans. Now a Samoan who comes and cannot speak English is entitled in the courts, in elections and so on, to the services of an interpreter. But I don't think we need to deal with people who are one of the two founding groups in our society in Canada in the same way as we treat people who have recently emigrated from some other country. I would like very much to see action on that by the government in this coming election.

Mr. Chairman: Item 3 carried?

Mr. P. Taylor: Mr. Chairman, may I speak on item 3?

Mr. Chairman: The member for Carleton East.

Mr. P. Taylor: Mr. Chairman, I would like to associate myself with the brunt of the remarks by the hon. member for Ottawa Centre on the subject of the conduct of the Election Act and its staff.

I believe the chief electoral officer, in this case the Clerk of this House, is a grand chap who has an awful lot of competent people working with him and for him right across the province. But in the case of Carleton East, with which I am most familiar —I am less familiar with Stormont, but I understand there was an equal problem there —the competence of the returning officer was seriously in question, as well as the competence of the voters' list accumulation. The voters' list was provided in alphabetical order, and not in numerical order by street name; and we understand that was the result of a marvellous new computer programme within the Government Services ministry.

M. le président, je veux aussi indiquer que ce n'est pas juste dans la province d'Ontario que prétend être une province bilingue et qui accepte des fonds fédéraux dans un programme de bilinguisme, de ne pas présenter des postes de scrutin et tous les renseignements dans les deux langues officielles.

I am very pleased to see the hon. member for Ottawa Centre joining me in the point I made in this House very shortly after I

arrived; namely, that all voting information in this province is in English only and that French-language voters, if they cannot understand the questions put to them by the DROs in the polling places in this province, may not vote until such time as a qualified interpreter has been found and been brought to the polling station and has translated the questions and answers accordingly. That is an inconvenience for a voting citizen that is definitely beyond what is called for under these laws. If more money is required to print the voting materials and the instructions for the polling places in both languages, which I don't really think is actually the case—it has been proven that instructions in public places can be posted and displayed bilingually in a very economic fashion—I, for one, would be happy to vote for them in this case.

With respect to the returning officers in the ridings, I fully endorse the proposition put forward by my colleague from Ottawa Centre, namely, that far better qualified people be found to assume these responsibilities I would even go further and suggest that perhaps the chief electoral officer of the province might want to consider setting up a set of qualifications or guidelines with respect to these people that these people must meet. We know that they have to be Conservatives under the present administration, but at least they could meet some professional qualifications.

Mr. Ferrier: The federal Liberals are no better?

Mr. P. Taylor: Oh, you would be amazed. We have done a fine job over the years.

Mr. Chairman: The hon. member for Cochrane South.

Mr. Ferrier: I would just like to say, Mr. Chairman, that there are a good many francophones in the northeast part of Ontario. On behalf of them, I believe that the comments by the member for Ottawa Centre and the member for Carleton East are certainly in order. I hope the government will see in the next election that these materials are in bilingual form, and that French-speaking people will be able to read the instructions and all such things necessary to the carrying out of the election in their own language. This is something that has been neglected in the past. It's a good point and I hope the government will correct it by 1975.

Mr. Chairman: The hon. member for Windsor-Walkerville.

Mr. B. Newman: Mr. Chairman, I wanted to make a suggestion that follows after the federal electioneering pattern, and that is where the voters' lists are mailed to the residences of each of the individuals on the list. I think that funds should be provided to the office here, so that we could follow exactly the same pattern. After the enumeration, each individual or family on that voters' list should receive a copy of the voters' list. In that way, if they did not receive a copy, they would generally know that they are not on the list and could have themselves put on the voters' list.

Putting the voters' list on poles and on trees and so forth is an outdated method of notifying an individual. I think there are more practical ways and better ways of doing it. By the mailing process, you could have that into the homes of everyone so that they would very easily know.

As another suggestion, I would also—

Mr. Laughren: And put where to vote on the voters' list too.

Mr. B. Newman: —suggest that a "you vote at" card be the responsibility of the returning officer for each electoral district, so that that returning officer would notify the individual on the voters' list just exactly where he or she has to go to vote.

Mr. Chairman: Is item 3 carried?

Hon. J. W. Snow (Minister of Government Services): Mr. Chairman, I won't attempt to answer for the chief electoral officer. I will see that he gets the comments that have been made. I am sure he will take them into consideration.

Mr. Cassidy: I would just like to ask the minister where in the government's view does the responsibility lie of having either competent returning officers or for having bilingual material available at the polls where necessary. Is the government copping out of its responsibility or does the minister accept that that is a government decision? If he does accept it, will he then make a commitment on the part of the government that these two major matters that have been raised in the last few minutes will be acted upon for 1975?

Hon. Mr. Snow: Mr. Chairman, I think the points made by the hon. members certainly deserve consideration. I think, as the minister who has been designated to answer questions regarding the particular estimates for the Speaker, there were some very good points made. As you well know, when the

new legislation is through relating to the Office of the Assembly and the Office of the Speaker, there will be a different method of dealing with the estimates of the Speaker, which will go before a committee of the House. I'm dealing with these supplementary estimates, as I dealt with the estimates originally for the Speaker, Mr. Chairman.

The comments relating to the election office will have to be given consideration by the chief elections officer and by the government, and I will see that this is done.

Mr. E. R. Good (Waterloo North): Mr. Chairman, could I ask the minister what will happen to the commission's recommendation that the chief electoral officer not be the Clerk of the session?

Hon. Mr. Snow: Mr. Chairman, that recommendation has not, I believe, been officially dealt with, but I believe it is the intention of the government to make its views known on that in due course. I believe it is under consideration at this time.

Mr. Chairman: Item 3 agreed to.

Item 4 is next.

Mr. Breithaupt: Just one point on item 4, Mr. Chairman. It's rather interesting to note that the government perhaps has not only forgotten some of the problems of the use of language in the by-elections, but it has also forgotten what the results of those by-elections are.

I would call to your attention that the mathematics under the unconditional grant are based on the mathematics of the membership in the Legislature before the results of the two recent by-elections. Accordingly, I would think that the Progressive Conservative unconditional figure should be reduced by $10,000, and that of each of the Liberal and New Democratic parties increased by $5,000. I would think if the minister acknowledges that those figures are incorrect, albeit the total remains, that at least—unless there are a couple of by-elections called before we pass these estimates—those figures could stand as amended.

Hon. Mr. Snow: Mr. Chairman, I hadn't checked the arithmetic myself—I assume that those were prepared some time ago.

Mr. Bullbrook: Do you want to change that now?

Hon. Mr. Snow: I think we prepared these estimates back in August or September, and I assure you that disbursements will be made in accordance with the representation.

Mr. Bullbrook: Mr. Chairman, in this connection I may say, following my colleague's comments and rejoining again the comments that I had made which were entirely out of order previously, it's interesting to note that what we're doing here is appropriating certain funds to support certain recommendations in the second report of the Camp commission. I think really it bears upon us to consider the very heading under which these funds are engendered for the purposes of implementing that report.

On page 36 of the report it says: "Services for the private member." That's why I invited the attention of the Minister for Agriculture and Food, the Solicitor General—who is not here now—the Minister without Portfolio from Carleton, and the Minister of Government Services. It's the private member who is supposed to be supported here, not the government member.

It's also, I think, a rationalization here. I have the highest respect for the people who made up that board, but they talk about the previous formula of granting to the NDP caucus $209,000, the Liberal caucus $242,000, and the Progressive Conservative caucus $462,000. Now, at the bottom of that page, if I may be permitted to read, they say:

> Determining the allocation for the government caucus on a per member basis has presented something of a problem, since some members of the caucus are parliamentary assistants or ministers—

It's interesting that these are the commissioners undertaking their responsibility under the heading of "Services for the private member." They continue:

> . . . and, as such, are entitled to services provided them by their respective departments. Thus they do not require many of the services from the caucus allotment as do purely private members.

This is just the most magnificent type of logic. Notwithstanding, it is argued that—argued by whom I don't know, but accepted in full by the commission—that because certain services must still be provided out of the caucus allotment, some recognition should be given in the caucus allocation to that reality.

Now, follow for a moment the logic of their argument. They say: "We are dealing with private members' responsibilities, and we recognize that to carry forward those responsibilities we would provide an unconditional grant." And they say: "However, some

of the government members are not private members and don't require those services." And they say: "However, it is argued that they do require some services, so we will give them the same amount that we give the private members."

That's the logic; that's what it is. They give me $5,000 to carry out my responsibility to the people of the Sarnia riding. Then they say the Minister of Agriculture and Food doesn't require that money to carry out his responsibility to the people of his riding. But he has got some responsibility, so they say, "Oh, the heck with it. We will give them both the same money."

Well, we are going to vote against that. We are not only going to vote against that, we are going to be very conservative in our Liberalism. We are not going to refer to the member for Wellington-Dufferin (Mr. Root), who for years has had ancillary benefits that we all know of, and more power to him.

Mr. Laughren: We know how high they are too.

Mr. Bullbrook: We are not going to refer for a moment to the whip of the Conservative Party, who has significant ancillary benefits. More power to him. We will be over there very shortly and we will enjoy them. But while we are on this side we are going to say this—

Mr. Eaton: The member for Sarnia won't be here, he's quitting.

Mr. O. F. Villeneuve (Glengarry): Deserting the dying party!

Mr. Bullbrook: These benefits are for the purpose of the private member. Our conservatism is such that we are just going to refer to the cabinet ministers.

Now you see what they did today, Mr. Chairman, they created a new portfolio; the beginning of the Ministry of Culture and Recreation. And as soon as they did that, Mr. Chairman, do you know what they gave the Progressive Conservative Party? Another $5,000. Today—another $5,000.

The fact of the matter is that it is a convoluted piece of logic on the part of those commission members. They should hang their heads in shame for writing something of that nature.

We know what happens to that money; we know what happens to that $380,000—and let's be factual about it. I think my col league, the member for Downsview, in speaking the other evening, said there were about three members opposite who didn't have some type of collateral benefits and services. I don't know who they are.

Mr. Singer: I mentioned three names. There were two others who took exception, so I made them five.

Mr. Bullbrook: I am not even going to talk again right now about this convolution of logic by these commission members when talk about secretaries.

In talking about the services to private members, they rightly say that a private member cannot undertake his responsibility to his constituency unless he has a secretary. They spent a page and half talking about the need for a secretary. And then when they come to their recommendations, do you know what they talk about? After pointing out the need for a secretary, they say each member of the Ontario Legislature should have one. This is not each private member that they were talking about; and over, whose services they have been wrestling. They say, each member of the Legislature. That means the Premier of Ontario, who spends a million dollars running his own office. Do you think he needs a private secretary? He certainly doesn't. And he certainly doesn't need an allocation of $5,000 to assist him in undertaking his constituency responsibility.

It is a charade and a game that this commission played with the government. I want to show you how they played that game, because all the way through they talked about secretaries. Then they come down and they say, "Each member of the Ontario Legislature should be entitled to one private secretary, or personal assistant."

Do you see what the situation is? Just take two of our colleagues for a moment. Take the hon. member who has served here for five terms, the hon. member from Kent (Mr. Spence), and recognize his responsibility analogous to the responsibilities of his bordering member, the hon. member for Chatham-Kent (Mr. McKeough). Now think of that man's responsibilities to his people. Could he possibly undertake that responsibility without a secretary? Let us not be foolish. We all recognize he couldn't; and he deserves every cent.

Do you think the member for Chatham-Kent needs a secretary, Mr. Chairman? But do you know what we are going to do? We are going to give him the alternative of choosing a secretary or a personal assistant. Do you know who he is going to choose? He is going to choose a personal assistant.

And do you know what that personal assistant is going to be doing, Mr. Chairman? He is going to be doing that wonderful work of spreading the Progressive Conservative philosophy throughout the city of Chatham. That's what he's going to be doing, and it's going to be paid for out of public funds.

I close by making this motion and I'm going to stand in support of this motion when the time comes. Do I require a seconder?

Mr. Singer: No.

Mr. Bullbrook moves that the allotment of $380,000 to the Progressive Conservative Party be reduced by the sum of $135,000.

Mr. Bullbrook: That is being generous in the extreme. We're just asking the minister to be realistic about removing his allotment for the cabinet ministers. We're not talking about parliamentary assistants. We're not talking about the chairman of the Ontario Northland Railway. We're not talking about the vice-chairman of the Ontario Liquor Control Board.

Mr. Singer: Hydro.

Mr. Bullbrook: We're not talking about the director of the Ontario Hydro Corp. We're not talking about the myriad of ancillary benefits that the ministers get. We're just talking about cabinet ministers alone. Keep the rest of it, but be fair.

Hon. Mr. Snow: Mr. Chairman, I'd like to reply to some of that diatribe, if I may, for a moment. The hon. member, like his colleague sitting to his left when he was debating the bill last week, is grossly misleading the House and the public of Ontario with that type of comment that has just been made.

Mr. Cassidy: The member's figures are not misleading.

Mr. Singer: I was not going to speak on it.

Hon. Mr. Snow: I didn't have a chance to reply, Mr. Chairman. I will at a later date when we go back to debating that particular bill. But the funds that are voted here for secretaries—as the hon. member refers to—the money, as I see it for the secretaries, is at the lower end of the page, $816,000.

Mr. Bullbrook: The motion has nothing to do with secretaries. I am coming to secretaries after.

Hon. Mr. Snow: Secretaries, Mr. Chairman, or personal assistants, whatever it may be, are only supplied in the government caucus for the private members.

Mr. Bullbrook: The motion has nothing to do with it.

Hon. Mr. Snow: There is no money included in these estimates for the payment—

Mr. Bullbrook: Look, on a point of order.

Hon. Mr. Snow: I sit and listen to the hon. member; he should sit and listen to me.

Mr. Bullbrook: On a point of order. The minister knows what the rules of the House are. Would he grow up. He's got the brain of a peanut; does he realize that?

Mr. Cassidy: Don't get so upset.

Hon. Mr. Stewart: The member ought to, for a change.

Mr. Chairman: Order, order.

Mr. Bullbrook: You sit there and listen to this.

Interjections by hon. members.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Sit down.

Mr. Chairman: Order.

Hon. J. White (Treasurer, Minister of Economics and Intergovernmental Affairs): My brain is as big as yours.

Mr. Bullbrook: The point of order is this. My motion has nothing to do with secretaries. It has to do with the $5,000 unconditional grant.

Mr. Chairman: Order. Will the member for Sarnia take his seat?

Mr. Bullbrook: And don't interrupt me any more.

Hon. Mr. Winkler: Who does the member for Sarnia think he is?

Hon. Mr. Stewart: He thinks he is smarter than everybody else. The great Bullbrook is smarter than everybody else.

Mr. Bullbrook: That is right.

Interjections by hon. members.

Hon. Mr. Stewart: Let the record show that the member for Sarnia is smarter than everybody else.

Mr. Chairman: Order, please.

Interjections by hon. members.

Mr. Bullbrook: I will be right back.

Hon. Mr. Stewart: The member for Sarnia won't be missed.

Mr. Chairman: Order, please. The minister has the floor.

Hon. Mr. Snow: I'll carry on, Mr. Chairman.

Mr. E. Sargent (Grey-Bruce): This will be a snow job.

Hon. Mr. Snow: The hon. members referred to the funds supplied to the caucuses. Other than the mathematical calculation, which is not correct because of the change in the number of members in each caucus, it is made on the basis that the unconditional grant is recommended in the report of $5,000 per member. I wish to draw to the attention of the hon. members across the way that whether you're a cabinet minister, or whether you're the Premier of this province or whether you're a parliamentary assistant, you're still a member of the caucus and the caucus supplies services to you as a member.

Mr. Cassidy: What services?

Mr. Breithaupt: In addition to what the ministers have now.

Hon. Mr. Handleman: Do the members have a mailing list?

Mr. Cassidy: What services do they provide?

Hon. Mr. Handleman: All kinds of services.

Hon. Mr. Snow: I certainly do agree that the Premier, the members of the cabinet and members who are parliamentary assistants receive offices—secretaries, at the ministry that they're attached to. There are no funds, Mr. Chairman, in the estimates we're discussing here today, for the supply of either secretaries or assistants to any member of the cabinet or any parliamentary assistant and that money is not there, regardless of what several members across the chamber have been saying both the other night and today.

Mr. Good: We recognize that.

Hon. Mr. Snow: I would also point out, Mr. Chairman, that in accordance with the recommendations of the commission on the Legislature, rather substantial funds are being made available for research to the two opposition parties. You will note that there are no funds being made available in research for the government parties.

The funds that are being supplied here in these estimates, Mr. Chairman, are as recommended by the Camp commission and as announced by the Chairman of Management Board last June. The funds that we are considering here at this moment will implement the provisions of the bill now before the House.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: I would like to say a couple of words, but before I do I'd just like to ask the minister if he can give us a breakdown of the number of secretaries or assistants that are provided for under the item of "support for members" and of how many cabinet ministers and parliamentary assistants are deemed to exist on the government side. Can we have those figures, please?

Hon. Mr. Snow: I don't have those exact figures. There is one secretary supplied for each private member of the Conservative caucus who is not a parliamentary assistant or a cabinet minister. I believe that there are 37 members of our caucus who are not—

An hon. member: Cabinet ministers.

Hon. Mr. Snow: —supplied secretaries under this vote.

Mr. Chairman: The hon. member for Waterloo North.

Mr. Good: The minister has tried to cloud the issue by relating to facts that do not relate to the amendment by the member for Sarnia. We are challenging only the $380,000 appropriation, which is $5,000 per member, the amount agreed between your ministry and our caucuses—that is, the unconditional grant. We feel very strongly that this unconditional grant to your caucus should not take into consideration the cabinet ministers. We recognize that your figures here do not provide secretarial assistance for any more than 37 members of government, 22 for the Liberals and 19 NDP.

Hon. Mr. Snow: Thirty-seven less.

Mr. Good: All right. So that amounts to roughly 80 people who are getting secretarial help through the Speaker's office. We think that that is as it should be, but by the same argument your caucus unconditional grant should be reduced by the number of those cabinet ministers. The minister the other night during the debate was certainly either trying to mislead the House or was not well advised—

Hon. Mr. Snow: I never said a word to anybody!

Mr. Good: Just let me read from Hansard, then, Mr. Chairman. We were arguing about whether or not the increased moneys for secretaries were made available to the opposition officers. On page 6391 of Hansard, Dec. 12, the evening session:

Hon. Mr. Snow: I said the funds had been supplied for the additional services since April, and the member is not complaining about that, although the bill is still not through at the middle of December.

Mr. Reid: They haven't got the money.

Mr. Snow: They have got the money.

If the minister were to check with Mr. Fleming and the people in charge, they have told us repeatedly that the money cannot be allocated until the passage of Bill 170. Consequently we know that it is going to be retroactive, but the minister tried to mislead the House by saying that we had the money and we are not paying the secretaries.

Hon. Mr. Snow: On a point of order, Mr. Chairman, I never misled the House at all. I said the money was available for this purpose and it was announced last June. It is available.

Mr. Good: Let's read Hansard again, then, if you didn't hear what I said the first time.

Hon. Mr. Snow: Read it 10 times, if you want.

Mr. Good: Mr. Snow says: "They have got the money." He knows the money can't be paid until the bill is passed and this is what we tried to impress on him. You tried to make us out to be something which we aren't, so let's not try to confuse this issue. The issue is simply that the unconditional grant should not apply to a number which includes the cabinet ministers.

You know that is not fair. You know what your caucus are doing with the money—you are turning out those truckloads of news items in your print shop down there. The trucks come in two or three at a time, filling the halls with newsprint so that you can hardly get around them, to churn out of your printing press down there. You are financing that party printing press down there through the allocation to the member, which includes the cabinet ministers. We say that's wrong.

Under the same grant you expect us in the official opposition to run our leader's office on a grant equal to 20 per cent of the amount received under the previous allocation. As I said the other night, the Liberal Party gets $22,000 to run its leader's office, which is not even the price of one executive assistant to the Premier, who employs 80 or 90 people in his office. We are supposed to run our leader's office on that kind of money. What kind of partisan injustice do you want us to accept here?

Mr. Eaton: Mr. Chairman, I would just like to make a comment on the $5,000 for the use of private members—

Mr. Breithaupt: Ministers.

Mr. Eaton: Yes, I know you don't consider us or the ministers as private members—

Mr. Breithaupt: Sure we do.

Mr. Eaton: —but we still have to serve our constituencies the same as the members opposite.

Mr. Sargent: We're talking about the cabinet.

Mr. Breithaupt: Just the cabinet.

Mr. Eaton: We have to send out mailings to our ridings.

Mr. Cassidy: You have the right.

Mr. Eaton: They are prepared in our caucus office, as are those of the ministers. We send out newsletters from our caucus; and all that work is done in our caucus office. I think we are entitled to serve our constituents by that method just the same as the members of the opposition.

Mr. Breithaupt: Of course you are.

Hon. Mr. Handleman: You would scream if he did it otherwise.

Mr. Breithaupt: But not the cabinet.

Hon. Mr. Handleman: Why not?

Mr. Breithaupt: They have all those services provided.

Mr. Chairman: Order, please. The hon. member for Ottawa Centre has the floor.

Mr. Cassidy: Thank you, Mr. Chairman. The member for Sarnia has used the cudgel. I would like to use the softer approach for a change, because there is a real concern here. As the member from Middlesex South points out, parliamentary assistants may be in a different situation than cabinet ministers.

Interjections by hon. members.

Mr. Cassidy: It may be open for discussion that part of the allotment of $5,000 per mem-

ber should still be allocated even in the case of a cabinet minister. It may be that you get around it by other means, by giving more assistance to the Leader of the Opposition and the leader of the New Democratic Party, so that the caucus allotment under the unconditional grant in the case of the two opposition parties isn't so exclusively devoted to the needs of the leaders of those parties by necessity, and therefore there would be more funds to help the members of the caucus of the two opposition parties.

What we have right now, though, Mr. Chairman, is a situation where all of the funds of the two opposition parties combined, including the funds that are allocated to them for their secretarial support, are not equal to the amount of support that is given to one member of the government alone to support the Premier's office.

The Leader of the Opposition and the leader of the New Democratic Party, both of whom carry heavy responsibilities as political people, as members of this Legislature, speaking on legislation, making speeches across the province and that kind of thing, have heavy demands and they have to draw them from a general pot, which is created when you put together the various kinds of funds that are allocated to the various parties. That is not required in the case of the Conservative Party because the Premier has a special pot in the Premier's office which is not accounted for here.

The cabinet ministers have got a special pot, if you will, because they can pull in two or three departmental assistants to write their speeches and do other work for them. Basically, if they want to prepare a riding report, they can get their own people to do that for them too. They don't have the same call on caucus services as people in our caucus or in the Liberal caucus.

Therefore, you get a situation where many of the basic services are provided for members of government, because of their position as cabinet ministers or perhaps as parliamentary assistants; therefore the government side can afford something that it considers to be important but which in our case is a necessity that we cannot afford. It has a very large and, I gather, quite efficient print shop, which is an enormous advantage to the members who happen to be on the governing side and is a discrimination against the equal treatment of members in this particular Legislature where one had thought that in fact we might be treated as equals. That is not happening now.

If the government wishes to offer the services of a print shop, to make it available to members of all parties and to make corresponding adjustments in this particular item of expenditure, then that may be the way to handle it. That is the way it is handled up in Ottawa, where members of all parties have access to reasonable kinds of printing facilities, more than you can get with duplicators and the kind of things that we all have in our individual caucus offices. But it isn't fair to carry on in this way right now—it just isn't fair. I would just try to say, in as general a way as I can, that the subject needs to be re-examined. The kind of arrogant attitude which says that of course cabinet ministers have exactly the same need as everybody else is just very difficult for people on this side of the House to accept. We work under very frustrating conditions.

Today I was told that I couldn't have more than three copies of a bill, for God's sake—I'd have to send my secretary over to Bay St. to the government book store in order to get any additional copies. These are the kind of restrictions that members on our side of the House have to labour underneath.

Hon. Mr. Handleman: On all sides, including the cabinet.

Hon. Mr. Stewart: We have asked for two copies, but we can't even get one copy.

Mr. Cassidy: If you have that problem, then it would seem to me that the government members—

Hon. Mr. Stewart: You at least were offered three; we weren't offered any.

Mr. Cassidy: Then let's do something about it. Maybe when the commission on the rules looks into these matters that were suggested by my friend from Wentworth, we could look into these matters as well and try to find equal treatment for all members of the Legislature, rather than allowing cabinet members to sort of sneak in special treatment because of their particular position, and rather than all—I would join with the Minister of Agriculture enduring the kind of petty frustrations which exist around this place because of an archaic kind of administration that doesn't suit the day of full-time members working very hard to do the public's business.

I would point out one other thing, Mr. Chairman, which also should be at least verbally acknowledged by the minister. I had

understood that we now had an independent Speaker and that the Speaker no longer formed part of the government caucus. However, funds of $5,000 are provided towards the Progressive Conservative caucus in this particular estimate and it seems to me that that is an abuse of the integrity and independence of the Speaker. I think that I would ask, in line with the commitment made by the minister, that whatever happens on the motion of the member for Sarnia, the appropriate adjustments be moved by amendment now in order that these unconditional grants accord with the actual numbers of members in each caucus.

Mr. Chairman: Mr. Bullbrook moves that item 4 of vote 201 be amended in that the allotment of $380,000 to the Progressive Conservative caucus be reduced by the sum of $135,000.

All those in favour of the amendment say "aye." All those opposed say "nay."

In my opinion the "nays" have it.

Mr. Cassidy: There is a conflict of interest there, Mr. Chairman.

Mr. Chairman: Call in the members.

Order, please. We are voting on a motion by Mr. Bullbrook that the allotment of $380,000 to the Progressive Conservative caucus be reduced by the sum of $135,000.

The committee divided on the amendment proposed by Mr. Bullbrook, which was negatived on the following vote.

Clerk of the House: Mr. Chairman, the "ayes" are 30, the "nays" are 54.

Mr. Chairman: I declare the motion lost and item 4 carried.

Mr. Breithaupt: On a point of order, Mr. Chairman, I wonder if rule 20 does not apply in this circumstance. May I recall to your attention that members are not entitled to vote on questions in which they have a direct pecuniary interest?

Interjections by hon. members.

Mr. Chairman: Shall item 5 carry? Carried.

Vote 201 carried?

Vote 201 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Office of the Speaker.

SUPPLEMENTARY ESTIMATES, MINISTRY OF GOVERNMENT SERVICES

Clerk of the House: Supplementary estimates of the Ministry of Government Services, page 6.

Mr. Chairman: The hon. member for Welland South.

On vote 702.

Mr. Haggerty: Thank you, Mr. Chairman. I would like to ask the minister about the $33.6 million for the provision of accommodation programme. I would just like to know who he is going to accommodate by spending this extra amount of money. Does it deal with the MTC and their land purchases or with the Ontario Land Corp. and their land purchases or is it some new building that the minister is contemplating building? Could he give us a detailed breakdown of what this expenditure is for?

In the original estimates for 1974-1975 you had almost $30 million, which was an increase of almost $18 million over the 1973-1974 estimates. You really have ventured into a heavy programme of government expenditures. Could I have the details of where you are going to spend this money?

Hon. Mr. Snow: Mr. Chairman, this is the money required for the funding of the acquisition of the two townsites in Haldimand-Norfolk.

Mr. Cassidy: Mr. Chairman, could the minister elaborate further? Which of the new townsites is this to acquire? Is this to acquire the Cayuga township land assembly or the Townsend land assembly? And how much of this money is dedicated to land acquisition in the area of Spencerville in Edwardsburgh township in eastern Ontario?

Hon. Mr. Snow: I'll answer the last question first; none. The moneys requested here, Mr. Chairman, involve both what I refer to as the Haldimand-Norfolk site, the first site, and the South Cayuga site. There is $18.6 million for the Haldimand-Norfolk site and $15 million for the South Cayuga site.

Mr. Cassidy: How much per acre was paid in each case; how much was paid to agents acting for the government in the acquisition; and who were those agents?

Hon. Mr. Snow: Mr. Chairman, that information has all been made available to the House by the Treasurer some time ago. I do not have the exact details of every land purchase here.

The first acquisition, as the members well know, was the taking over of options formerly held by a development group that had optioned the land. The Treasurer announced, last June I believe it was, that we had made an arrangement to obtain these options. Since that time my ministry has bought considerable additional land, in filling it out, upon which that development group did not have options.

On the second acquisition, the South Cayuga site, the options on that land were taken by the firm of A. E. LePage and the transactions are being closed in the name of the Ministry of Government Services.

Mr. Cassidy: If I can just pursue these questions a bit further—

Interjection by an hon. member.

Mr. Chairman: The member for Ottawa Centre still has the floor.

Mr. Cassidy: Thank you.

Can the minister say—he stated that none of the $33.6 million involved here is for acquiring the land in Edwardsburgh township, in the assembly near the Prescott International Bridge—can the minister say whether any funds from his ministry have been either dedicated or spent in the acquisition of options or an interest in land or land itself in that area; or if any other government funds have been spent in that manner in that area in which he has been involved or consulted?

Hon. Mr. Snow: No, Mr. Chairman. No funds from my ministry's estimates have been used for any options in the particular proposal that the member has mentioned.

Mr. Cassidy: Is there any intention that any funds from the ministry's estimates be used in the area of Edwardsburgh township; any intention which was reached say in the form of discussions with the people taking the options?

Interjections by hon. members.

Mr. Chairman: The member for Sarnia.

Mr. Bullbrook: I wonder, through you, Mr. Chairman, if the minister could advise how much is being paid to A. E. LePage in connection with the land acquisition and was that effectuated on a tender basis, flat rate, or is it by commission? Did he seek out any other competition with respect to the hiring of the commission agent?

Hon. Mr. Snow: Mr. Chairman, the Treasurer, when he announced the acquisition of the South Cayuga parcel, gave some considerable detail at that time and stated that he would be tabling all options and documents, I believe in the near future. That actual acquisition of that—the initial acquisition of that parcel was carried out under the direction of the Treasurer, but which the Ministry of Government Services having the responsibility to finalize the arrangements and take title to the land.

Mr. Chairman: The hon. member for York Centre.

Mr. D. M. Deacon (York Centre): Has the minister considered selling back the land minus the development rights in these areas so that the sale price back to local farmers could be achieved so they could continue to own the property?

As the minister knows, if he looks at these areas where they have acquired substantial amounts of land, the land and the buildings have got into a state of disuse and neglect that's been very distressing. In view of the fact that it's unlikely that any development would occur for some time, and it is also unlikely that there would be any appreciable increase in value of the land for agricultural purposes over a period of time, this might be a way of the government securing the land and ensuring that it has control of it without actually destroying that sense of ownership and interest—so that's important to the maintenance of these properties.

Certainly, the time period that has elapsed in the case of most of these developments has been a lengthy one—and the lack of any interest on the part of those occupying the properties has certainly caused the whole neighbourhood to deteriorate.

I would ask the minister if he has given any thought to adopting the system that the State of New Jersey has adopted. They segregate the development rights from the land and the development rights are acquired by government and the ownership is left with the original owner—or they are free to sell it minus development rights to other owners. But the fact is, that the government acquires and pays for the development rights and holds them for whatever length of time it wishes to hold it, and then it is in a position sometime to take over the land if it wants to actually bring about development on it. Has the minister looked into that method of ensuring these lands don't fall into a state of neglect?

Hon. Mr. Snow: No, Mr. Chairman, I haven't. I am not sure whether the Treasurer or his ministry have given any consideration to that particular proposal or not. I know, and I can assure the hon. member, that we don't intend for this land to sit fallow—that plans have been made.

In most cases the existing farmers have entered into leases with us to continue operating the farms. In some cases a farmer does not want to do so, and that land is being offered for lease to adjacent farmers. A management office has been set up at the Haldimand-Norfolk Townsend site in—as I understand it, I haven't seen it personally—a one-room school that is located in that area, and through the co-operation of the Minister of Agriculture and Food and his advisers. They are advising on the most appropriate use, agriculturally, for this land in the interim period, and my ministry officials are administering a programme of leasing this land to the farmers. The same type of operation will take place on the other site.

It may be the member wasn't here when the Treasurer made the announcement that a decision will be made in the not-too-distant future, on the advice of the Haldimand-Norfolk regional council, as to which one of these sites should proceed first. I believe the Treasurer has stated the first site will go ahead almost immediately, so it would be quite inappropriate to make any such deals as the member is talking about at this time, anyway.

Mr. Deacon: Mr. Chairman, there are two things I would bring to the minister's attention. First of all, actually putting the land into crop production is one thing; the maintenance of property and the upkeep of fences, buildings and things like that is another.

As the minister knows, it is unlikely that anything more than a small portion of these parcels will be developed over the next short time. It's important to realize that in any event there is likely to be a major change in what happens in the way we develop and expand and provide for growth in the future.

I don't think that there are very many—certainly on this side of the House—who intend to see this wholesale destruction of useful agricultural land by this government pursued, and I'd like to see that land get back into production and be kept in a good state of repair until a new government does take over and sees that things are done in a little more logical way than this government is doing.

The point that I would make to the minister is that a government does not lose control of the land by adopting the procedure I've suggested. I've certainly found it strange that what this government has done by this programme of acquiring land holus-bolus is just to put a lot of funds in the hands of speculators—

Hon. Mr. Snow: The farmers.

Mr. Deacon: No, an awful lot of them are not farmers. The minister knows that. But there has been a tremendous amount of cash provided and rescue operations carried out for those who have gone into this land assembly business. It seems to me strange that the Treasurer would have told us how they'd bought that land in Haldimand-Norfolk at such a terrific price and what a great deal it was for the government. There was no profit provided the others, but I can assure you there were many sighs of relief on the part of those who did that land assembly that they were taken off the hook by this government.

I think it's time we stopped this procedure whereby we, in effect, are making it possible for those in the business of speculating in land to get good cash dollars out of the government that are raised at great expense to our taxpayers. All that money goes back into another land assembly programme to be again turned over at some gain and advantage in every case, I'm sure, to those who happen to be in this business. I just feel that the government should take a new approach to this and I would ask this minister, as the one who is responsible through his ministry for acquiring these properties, to look at another approach if the government is indeed going to continue this headlong pursuit into assembly of huge tracts of land in different parts of the province.

Mr. Chairman: The hon. member for Yorkview.

Mr. F. Young (Yorkview): Mr. Chairman, I just want to ask the minister how wide-ranging his responsibility is for acquiring land needed by other ministries of the govment. Does he acquire all lands that are required by the Province of Ontario for its various purposes, or do other ministries also acquire some of the land so that some of the costs would be in other ministries as well?

Hon. Mr. Snow: Mr. Chairman, by and large, my ministry has the responsibility for land acquisition for most of the programmes of the Ontario government. We do not buy

the land for highway widenings though. The Ministry of Transportation and Communications have their own right of way section dealing with a few feet on the sides of highways, and so on, for widening.

Mr. Young: But for a new highway you would?

Hon. Mr. Snow: For new highways—for instance, through the area designated for the parkway belt—my ministry will be charged with the responsibility for buying most of that land where total properties are being bought. Where certain areas of strictly right of way for a new highway are being bought, that is handled by the Ministry of Transportation and Communications. But other than that, we are buying most of the land. I can't say we were buying it at all; for instance, we don't buy sites for liquor stores, which are bought by the Liquor Control Board.

Mr. Haggerty: They're more than likely leased, aren't they?

Mr. Young: Then any land acquired for the purpose of Ontario Housing is purchased by your department and all costs will be shown there. Is that correct?

Hon. Mr. Snow: Well, that is planned, Mr. Chairman. The basic principle has been approved now, and the land acquisition officers of the Ministry of Housing are being transferred to the Ministry of Government Services. The same is true of the small group that formerly was with the Ontario Water Resources Commission, now with the Ministry of the Environment—I think there are three people involved—that has been buying rights of way for sewer lines, sites for sewage plants and water plants, this kind of thing. They are being transferred to MGS at this moment, although they are not physically relocated yet. The policy now is that, other than Transportation and Communications, MGS will be the land acquisition agent for the government.

Mr. Chairman: The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Chairman, is this $33 million to be tied in with the new vote of $103 million for housing?

Hon. Mr. Snow: No.

Mr. Sargent: It isn't? Regarding the $33 million, what type of housing are you going to put on this land?

Hon. Mr. Snow: Mr. Chairman, this is for the acquisition of the land. The responsibility for the construction of housing on the land will be the responsibility of the appropriate ministry. The funds we are discussing today represent the acquisition cost of the farm land.

Mr. Sargent: What type of housing is going to go on it then?

Hon. Mr. Snow: Mr. Chairman, the member will have to ask the Minister of Housing at the appropriate time in his estimates.

Mr. Bullbrook: I would take it from this that we are seeing the demise of the Ontario Housing Corp. Really, it is coming to an end; this is the indication.

Mr. Sargent: Mr. Chairman, the reason I am asking this is that there is no housing being built in Ontario today for low-income families; there is not one single apartment project going on in Ontario for them. If we are voting $33 million for housing and land acquisition, I would like to know what type of housing you are going to put on this land. Is it going to be condominiums? What is it going to be? It can't be apartments.

Mr. Chairman: I think the Chair would rule that this is out of the area of the responsibility of this ministry. All this ministry does is the land acquisition.

Mr. Sargent: The minister doesn't know what he is talking about.

Mr. Chairman: I would rule the question out of order as far as these estimates are concerned.

Mr. Sargent: With the greatest respect—

Mrs. M. Campbell (St. George): On a point of order, Mr. Chairman, if all the ministry is doing is land acquisition then what are we talking about in this vote for construction of physical assets? What are the physical assets? Until that is explained, I would suggest my colleague has a perfect right to put the question.

Mr. Chairman: The Chair would—

Hon. Mr. Snow: Mr. Chairman, I don't see that we are constructing any physical assets at all. I have stated that—

Mr. Singer: Well, it says so.

Mrs. Campbell: It says it in your estimates.

Mr. Singer: On page 7 it says: "Acquisition construction of physical assets." That is exactly what it says.

Hon. Mr. Snow: Well, Mr. Chairman, I have explained that the total funds of $33.6 million in the supplementary estimates are for the acquisition of land in the Haldimand-Norfolk areas. As has been explained, that is strictly the acquisition cost. My ministry is charged with responsibility of acquiring this land and of managing it until the appropriate other ministry or user requires the land. As the hon. members know, these two major parcels of land have been bought for two town sites in the long-range plans of the Treasurer.

Mr. Sargent: Mr. Chairman, may I have the permission of the Chair to talk to the Minister of Housing to tie these two together because they are so related?

Mr. Chairman: It will come up in the next vote, as indicated by the hon. minister.

Mr. Sargent: Well, it would seem that the Minister of Government Services, in spending $33 million on land acquisition, is providing the land because the Ministry of Housing requests it. Is that right, sir?

Mr. Stokes: It is not in this vote.

Mr. Sargent: But you don't know what type of housing is going to go on that land then do you?

Hon. Mr. Snow: Mr. Chairman, the overall decision and the policy planning, as the member knows, on matters of this type for new town sites, comes from the Treasurer and Minister of Economics and Intergovernmental Affairs. When the government's policy is to acquire a certain tract of land, then it is my ministry's responsibility to carry out the acquisition of this land and the land management during the interim period. It will be the responsibility of other ministries to develop and industrial facilities or housing facilities on the land in the future.

Mr. Sargent: Finally then, Mr. Chairman, I ask the minister this: He doesn't know, then, whether or not that land is going to be built on, because the experience now in Ontario is that it will not be built on.

The facts are, Mr. Chairman, that in New York, Lefrak Organization Inc., the world's largest builders, have 260,000 apartments. They have closed the door. There is no more building going on because of the cost of money, the cost of land and government restrictions on standards and so forth. Everything has stopped.

So what are they going to put on this land? You're buying $33 million worth of land with nothing to go on it.

Mr. Young: Oh the Liberal government in Ottawa will bring us out of the slump.

Mr. Chairman: The hon. member for Ottawa Centre.

Mr. Cassidy: Thank you, Mr. Chairman. I would like to ask about the South Cayuga land assembly. I understand that options were taken on the 10,000 or 12,000 acres involved and that the options expire, I presume, at the end of the month, because that's about the kind of deadline that was given by the Treasurer.

Could the minister please give us, in general, the details of the options? Were they for six months; for nine months; when do they expire? When were the first options acquired and could he tell us when was cabinet approval given for the acquisition of land in the South Cayuga area?

Hon. Mr. Snow: I don't recall exactly. I don't have the information, Mr. Chairman, as to exactly when the options were taken.

The options, I believe, are for varying periods of time, as options invariably are on a large assembly such as this. Some of the transactions have now been closed, I believe, and title taken to the land. Other transactions will be closed over the next few months as the option dates, or the dates upon which the owner wishes to give up possession of the land, come up. Cabinet approval on purchase of the land was given some few months ago for the actual acquisition, I can't tell the hon. member the actual date.

Mr. Cassidy: Can the minister say when the first acquisition of options in the area was made on behalf of the government?

Hon. Mr. Snow: I can't give you that date, Mr. Chairman. That transaction was handled through the Treasurer.

Mr. Chairman: The hon. member for—I'm sorry.

Mr. Cassidy: Just a minute. This minister is responsible now for explaining the South Cayuga land assembly. This is where we have agreed that it comes. He can't simply say that was done through the Treasurer.

Did the Treasurer simply tell the minister what to do or did the Treasurer do it and dump it in the lap of this particular minister?

Could we have a full statement of what happened in the South Cayuga land assembly; of the role played by this minister and his ministry and of the role played by the Treasurer?

Hon. Mr. Snow: Mr. Chairman, as I say, the decision for a major land assembly such as this and the planning for same is the responsibility of the Treasurer. The Treasurer made the arrangements, or contracted with the assembler of the land, to take options on this particular land. My ministry is responsible for the finalization of those options, the taking of title and managing of the land.

Mr. Cassidy: Could the minister explain to me in what manner did the Treasurer contract, with LePage I guess it was, for the taking of options on the land? Was that discussed with cabinet, or with this minister or with the committee of cabinet prior to some kind of binding arrangement being reached with A. E. LePage?

Hon. Mr. Snow: I'm sure the hon. member knows I can't divulge what discussions take place in cabinet. The arrangement was made for A. E. LePage who were engaged as a very competent firm and they did a very excellent job in taking options on this tract of land.

Mr. Cassidy: Mr. Chairman, the reason I raised this is this. My understanding is that for various reasons the Treasurer decided unilaterally that there ought to be a second townsite in Haldimand-Norfolk, despite the fact that the population projections for that area are only enough to fill one townsite between now and the end of the century, with the industry going into that particular area. The Treasurer on his own decided that this should be done and then at this point it all becomes a bit vague. I'm sorry he's not here in the chamber to help us out, but I ask this minister to give us an answer.

Then the Treasurer called up A. E. LePage and said: "Look, I'd like you to pick up some land." Literally with the knowledge of no more than one or two people in the civil service a major planning decision and the commitment of some $15 million—I think the minister agrees—in government funds was made in the acquisition of those options through A. E. LePage. The cabinet wans't consulted. This minister wasn't consulted; nobody was consulted. It was simply the Treasurer going ahead on his own. That doesn't square with my understanding about the way in which a cabinet of government works. We are partisan in this particular chamber, but the system also requires or contains certain checks and balances in the way in which the cabinet is going to work as a group; and that obviously is breaking down. It broke down when some of the junior ministers began to make decisions without consulting cabinet. Now it appears that the senior ministers in government are also not consulting cabinet before they go ahead and take major decisions, and I'm very disturbed about that. Could the minister please comment some more?

Hon. Mr. Snow: The hon. member is free to make whatever assumptions that he wishes to make. I'm not prepared to comment on whatever assumptions he may wish to make. I just say that it was a decision of the cabinet to proceed with the acquisition of this townsite, and that has been done.

Mr. Cassidy: Was the decision taken after the fact, or before the fact? That's what I'm trying to find out.

Hon. Mr. Snow: Obviously, Mr. Chairman, the property was purchased after the decision was made.

Mr. Cassidy: I think the commitment was, in fact, made before the cabinet was involved at all and that that is not a way in which this government should be doing business in the province.

Mr. Chairman: The hon. member for St. George.

Mrs. Campbell: Yes, I have one or two questions on this item. First of all, I must say that I am puzzled as to why there is provided as a matter of explanation an item, "construction of physical assets." In fact, the entire item is for the acquisition of the land.

Do I take it that it then, correctly, that out of this money which is for acquisition there no money which is attributable to any commission for anyone working on behalf of the government?

I wonder, too, if the minister would explain to me—because I'm becoming very confused as to all of the people involved in the acquisition of land—since these particular staff people to whom he has made reference are to be transferred to his ministry, is this to be an interim matter, or are they to be retransferred out, as it were, when we have the Ontario Land Corp.? What it its role in the acquisition of land, as it pertains to this? Will we, perhaps, see some more money from this type of acquisition which will come drib-

bling out in those budgets which we may have to face not too long from now?

Hon. Mr. Snow: I can't say for sure, forever, but certainly it is the policy at the present time that the Ministry of Government Services will carry out acquisitions and land for the Ontario Land Corp. It is not our intention to transfer the land realty services branch from my ministry to any other corporation. I mean, this is the area of expertise that division of my ministry has. They will carry on this work for Ontario Housing Corp. for Ontario Land Corp. or for any other ministry, board or commission as empowered in the Act.

Mr. Chairman: The hon. member for Yorkview.

Hon. Mr. Snow: I didn't get to answer the rest of the hon. member's question, before the hon. member for Downsview started jumping up and down. I didn't know what he had in mind.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: Let the minister answer my colleague.

Hon. Mr. Snow: The comments regarding the labelling of the figure on page 7 as compared to that on page 6, is the normal book name or calling of the vote in the main estimates. In the main estimates we have money for acquisition and construction of physical assets. Part of the funds in the main estimates may be for the purchasing of land and buildings or modifying of those buildings. The money in this particular supplementary estimates, as I explained at the beginning, is only for the purchase of land in those two tracts.

Mrs. Campbell: I think I did ask the other question, Mr. Chairman, as to whether any of the funds included here were to be used for payment of commission, having in mind A. E. LePage.

Hon. Mr. Snow: It's not broken down, but these funds would cover the payment of the land, the payment of legal fees on the closing. I believe it would cover the payment of commission or fee payable to the assembler.

Mrs. Campbell: Mr. Chairman, I think then we are entitled to have from this minister what the commission payment was to A. E. LePage if it is referred to in this item. I don't think that can be denied us on the basis that the arrangements were originally made by the Treasurer. I would now ask the question again; what was the commission?

Hon. Mr. Snow: Mr. Chairman, I do not have that information as to the exact amount of the agreement entered into between the Treasurer and the assembler.

Mr. Chairman: The hon. member for Downsview.

Mr. Singer: I think I heard the minister say that because of the expertise in his ministry, in this particular branch, he will be acquiring land for Ontario Housing. I'd like the minister to expand on that because it seems to me that Ontario Housing is continuing to acquire its own land.

In fact I would ask the minister to just cast his eye down to the bottom of page 6 and he will see that Ontario Housing is asking for another $45 million. We are going to be asking that minister about that shortly. That seems to be land acquisition because it is advanced under the Ontario Housing Corp. Act. Has it, in fact, come to pass that the purchase of land is being taken away from Ontario Housing? If it has, I would say hurrah, but I'm not sure yet that it has been. Can the minister expand on that or was it just an accidental slip of the tongue?

Hon. Mr. Snow: Oh no, I explained it, I thought, very fully a few moments ago to the member for Yorkview who seems quite satisfied and seems quite well able to understand the answer.

Mr. Singer: Oh I must have missed the explanation.

Hon. Mr. Snow: I stated that the policy decision has been made. I believe three staff members from the Ministry of the Environment will be joining my ministry and a certain number, I don't know how many, from the Ministry of Housing will be joining my ministry. It's government policy about land acquisition, other than in the case of Transportation and Communications. They are dealing with slivers of land and widenings and this type of thing. It is felt that because of it being a sort of a special type of arrangement and because of the expertise that the highways group have and the fact that they have to go out and buy 10 feet, when the engineer decides that they want to raise the grade so they have to buy 10 more feet and so on, that should stay with the Ministry of Transportation and Communications. As I also stated in answering previously, this actual

physical transfer of responsibility has not taken place as yet.

Mr. Singer: Specifically when is it going to take place? If it is going to take place in the near future, wouldn't it have been better if that $45 million asked for by the Minister of Housing under vote 8042 was part of your request for supplementary estimates? One would think that it should take place just as quickly as possible because of acquisitions like South Milton and others. The South Milton story hasn't been fully told yet, but it will be; and there are others.

I would think that in the public interest this transfer should be made to the ministry with the most expertise. The Minister of Government Services says that's his ministry —actually it wouldn't be hard to have more than some of the other ministries. I would have thought, if it's so imminent, that $45 million would have been part of your supplementary estimates.

Hon. Mr. Snow: I won't attempt to answer for my colleague, the Minister of Housing, who is very capable of doing so himself and will explain the $45 million.

Hon. D. R. Irvine (Minister of Housing): I will very shortly.

Hon. Mr. Snow: As I say, it's not for land that is bought through my ministry—I know that. I presume it is involved with North Pickering, and my ministry has not been involved in the purchase of land for North Pickering.

Mr. Stokes: I would like to ask a brief question of the minister. He has assured everybody in this House that there are no funds within this $33.6 million for anything other than the acquisition of townsites in Haldimand-Norfolk. But I want, if I can Mr. Chairman, to elicit a brief comment from the minister as to whether or not he has been asked to negotiate with Ontario Paper for the acquisition of a large tract of land on Manitoulin Island that the Minister of Natural Resources (Mr. Bernier) says he wants so badly. Negotiations have been under way for well in excess of a year now. Are you actively involved in that, and can we see funds voted for that particular purpose—to acquire that most valuable piece of real estate on Manitoulin Island?

Hon. Mr. Snow: Mr. Chairman, I am familiar with that particular parcel of land. We do not have funds in our estimates; nor, I believe, does the Minister of Natural Resources.

Mr. Stokes: I take it you are not serious then.

Hon. Mr. Snow: The minister carries funds in his estimates for land acquisition as well, although we do the acquisition for him. I can just say that on that particular parcel of land we are doing an appraisal. We have been asked to carry out an appraisal, which is not unnatural at all. In many cases we are asked to do an appraisal on a piece of land before a decision is made to purchase it. We have been requested to do the appraisal, and I am not sure whether or not it is completed.

Mr. Stokes: Can we have some assurance, then, that the minister, in concert with his colleague, the Minister of Natural Resources, will pursue it with all diligence and all seriousness before the land cost escalates so that it will be prohibitive and the land lost to the people of the Province of Ontario? Will you assure us that you will proceed in that manner?

Hon. Mr. Snow: Mr. Chairman, we will certainly be carrying that forward with the appraisal. It is not a simple appraisal to do, I would think. I believe there are some 5,000 or 6,000—how many thousand acres is it?

Mr. Stokes: Something like 60,000.

Hon. Mr. Snow: It is 50,000 or 60,000 acres or something. It's a huge piece of property at the western end of Manitoulin Island, and we have been requested to do the appraisal.

It's something that will take some time. It's not like going out and appraising a house or some small property. As soon as this information is available we will be passing this on to the Minister of Natural Resources, and I am sure to the resources policy field for a decision as to what happens at that time or where it fits within their priorities.

Mr. Chairman: The hon. member for Grey-Bruce.

Mr. Sargent: Mr. Chairman, may I ask the minister, how long he has been in the land acquisition business? Since 1972?

Hon. Mr. Snow: Mr. Chairman, I think the former Department of Public Works had been in the land acquisition business since 1867, probably.

Mr. Sargent: Right; well that's quite a while. You had a programme of $5 million in 1972; in 1973-1974 you had a $12 million programme; and this last year you had $29

million in the budget for land acquisition. Would you say the first two figures I gave you are right?

Hon. Mr. Snow: Yes, I can read the figures right out of the book too, Mr. Chairman: 1972-1973, the actual expenditure was $5,747,121. For 1973-1974, the estimates—we don't have the actual yet—$12,123,100; and the 1974-1975 estimates, that we discussed last May, $29,959,600.

Mr. Sargent: Well, the minister is getting into the big league now. He had an estimate of some $30 million they had given him to acquire land. What was that $29 million for?

Hon. Mr. Snow: I don't know, Mr. Chairman, whether we want to go over all of last year's estimates or not, but the $29 million was made up of a total of $11,295,800 for what we call other land and buildings. This would be sites for new facilities for the various ministries.

There would probably be several dozen sites we would buy, whether it would be for a highway garage or a facility for the retarded or an office building, or many things. The other figure—there was another $17 million in our original estimates, making up the total of $20 million—the $17 million was for the parkway belt and Niagara Escarpment purchases.

Mr. Sargent: Well that's what I wanted to know. The whole $33 million then is for Haldimand-Norfolk? I see. Is that the final figure for land acquisition there, or will there be more money?

Hon. Mr. Snow: Well that's very close, I would say, to the final figure. As I stated a few moments ago, Mr. Chairman, in the Townsend site we have picked up a number of additional parcels of land directly from the farmers who had not optioned the land. We will probably take similar action on the South Cayuga site. There are still some parcels of land in those overall sites that are not under option or have not been bought. They will probably be picked up as they become available.

Mr. Sargent: Then the land acquisition people in the Housing Corp. will not be operating any more?

Hon. Mr. Snow: Well they won't be operating on those two particular sites, Mr. Chairman, and I would say once the transfer of responsibilities for land purchasing is totally lodged with my ministry, then I guess probably the member's suggestions will be brought forward.

Mr. Chairman: Does vote 702 carry?

Vote 702 agreed to.

Mr. Chairman: This completes the supplementary estimates of the Ministry of Government Services.

SUPPLEMENTARY ESTIMATES, MINISTRY OF HOUSING

On vote 804.

Mr. Chairman: Does item 2 carry? The hon. member for Downsview.

Mr. Singer: On the $45 million for Ontario Housing, I would like the minister to give us as elaborate explanation as he can as to why he needs another $45 million, what he is going to do with it, what kind of land he is going to acquire, where it is; what kind of houses he is going to build, and how many; why he hasn't used up all his existing funds?

Then, in keeping with what the Minister of Government Services was telling us, if his department is about to take over all acquisition of land, why don't you let him have the $45 million and let him do what is appropriate? That's enough just for a start, isn't it?

Hon. Mr. Irvine: Well Mr. Speaker, we may have to go on for some length, but in any event at this time I would like to explain what the $45 million is for. The $45 million, as I think the hon. member is well aware, is for the expropriation of lands in the North Pickering area, additional funds which we felt would be acquired from the federal government. We have not been able to reach an agreement with the federal government on a 90-10 basis of funding, although since I have been minister I have asked more than once—and will continue to ask by the way too, quite forcefully—we have at the present time assets, and costs of approximately $170 million in the north Pickering area.

Mr. Singer: On commitments you have already made?

Hon. Mr. Irvine: Yes. We have, in this year, funds of approximately $23 million. There are still some lands to be acquired through the Expropriations Act.

In regard to what houses will be built and what type of development will occur, this

will depend upon the passing of the legislation which I introduced this afternoon, the North Pickering Development Corp., which will be a board of directors of from five to nine people responsible to the Minister of Housing. We will acquire the land from the Ontario Land Corp., when that Act has received royal assent, and we will have to develop a plan for the development corporation with regard to the implementation of land use, which will follow the same pattern as any other developer or any other person in Ontario, by means of the Planning Act. We will be using the Planning Act for appeal purposes. We will be referring the plan to people in the immediate area, to those in the three regional municipalities, the area municipalities, for their comments. Full opportunity will be given to have detailed comments from all concerned.

I don't expect, with this particular policy being followed, that there will be houses there next year. I don't expect that.

Mr. Singer: I think that's fair.

Hon. Mr. Irvine: But we're doing this because the people in the area have asked that this be followed. We're trying to respond to the wishes of the people in the immediate area and those in the surrounding area, who are very much affected by this development.

We have provided for servicing through the central York servicing scheme. There is provision of water and sewers in that area, but that will take some while. Through the Ministry of Housing we have provided an extra $31.5 million over a period of seven years to try to ensure that we have housing in certain areas of this particular region.

So that when you ask the question whether or not the minister and the Ministry of Housing will be acquiring further lands, I can assure you that it is our intention to acquire certain lands in the future—certain lands—but it is not our intention at the present time to acquire large areas of land. We have lands, as you're well aware, for senior citizens, for rent-geared-to-income, for other policies and programmes within our ministry.

We have, therefore, established for you, I think Mr. Chairman, the fact that the amount of money we're asking for now is only a partial amount that we need toward the full amount of the cost of the lands to be acquired. We are still hopeful, though, that the federal government will respond to us, as it had indicated to my predecessors that it would and fulfil—it has not fulfilled—a verbal commitment if not an undertaking in writing.

Interjection by an hon. member.

Hon. Mr. Irvine: To this time we have no funds from the federal government. We are hoping we will either get funds from the federal government or through the Ontario Land Corp.

Mr. Sargent: No wonder you're broke!

Hon. Mr. Irvine: I would think that the amount of funds being requested is very minimum, and we are, as I say, hoping that before our fiscal year we will have an answer which will—

Interjection by an hon. member.

Hon. Mr. Irvine: If we don't have that answer it will necessitate coming in with other figures for further acquisition funds.

Mr. Singer: Mr. Chairman, if I understand the minister correctly, the government has already spent $170 million for acquisition costs in North Pickering. The $45 million is to complete the acquisition?

No? What portion of the $45 million is to complete the North Pickering acquisition?

Hon. Mr. Irvine: The $45 million is only a partial amount of the total costs. We have this year, as I said, spent $23 million in acquiring lands. We'll have further funds to be expended in regard to, I think approximately 8,000 acres in that area.

Mr. Singer: Well tell us what the total cost is of land acquisition in North Pickering?

Hon. Mr. Irvine: Yes, $170 million.

Mr. Singer: No, that's the money you have spent to date, isn't it? Or did I misunderstand you?

Hon. Mr. Irvine: No, you didn't misunderstand me. That is the total cost to date. As I understand it, we have spent $170 million to date. The total costs will depend on the expropriation appraisals, and at this time I cannot tell you what they will be. That's why I say we will have to come into the Legislature for further funds at some date.

Mr. Singer: So there is $170 million you have already spent, a portion of that being this $45 million; could you break the $45 million down as to how much of that is going to be used for the North Pickering acquisition between now and the end of the fiscal year?

Hon. Mr. Irvine: All of it.

Mr. Singer: Oh, so all the $45 million is to go to the North Pickering land acquisition? So that makes it $215 million and the end is not yet in sight. Is that correct?

Hon. Mr. Irvine: No, that is not correct. What I meant was, the $45 million has been expended, the funds have been used, and therefore we are bringing in the supplementary estimates to relate to the moneys that have been expended in the last few months.

Mr. Sargent: So you are going to start over again?

Hon. Mr. Irvine: No, I am not starting over again. I am saying the funds have been spent. We have to have supplementary estimates to supplement the original estimates.

Mr. Singer: Well you would add that onto the $170 million, wouldn't you? Is my arithmetic right?

Hon. Mr. Irvine: No, all that is included in the $170 million.

Mr. Singer: It includes the $45 million; which you spent, which you didn't have, and which you are now asking for?

Hon. Mr. Irvine: That's right.

Mr. Singer: And then, over and above that, there is an unestimated figure which will be necessary?

Hon. Mr. Irvine: Exactly.

Mr. Singer: All right. Can you recall what estimate of the total cost of the North Pickering acquisition was given us when the government first embarked on it?

Hon. Mr. Irvine: No I can't recall, Mr. Chairman, what the estimated cost was. I don't suppose it is too relevant, at this time, to the matter we have before the House. Land costs have risen all over Ontario, so the estimated costs of North Pickering may have been considerably less. I am sure they were. Who at that time knew the inflation factor was going to be as high as it is at the present time?

Mr. Singer: But the minister is the one who made it go as high.

Interjections by hon. members.

Hon. Mr. Irvine: And whose fault is it that it is that high? It is the fault of the federal government, which has to control, in other words, the factors in inflation. I think, as I said before—and I don't want to get into a debate on inflation factors—I think it is realistic to say that the federal government has a very large role to play in regard to inflation; and when it brings about an increase in its salaries—as it has just recently—I think it shows how much concern it has.

Interjections by hon. members.

Mr. Chairman: The hon. member for Grey-Bruce gave me an indication he wanted to speak; and then the hon. member for Ottawa Centre.

Mr. Cassidy: Well maybe he could have one question, but I think it is the pattern to go from party to party over here.

Mr. Chairman: I recognize the hon. member for Grey-Bruce, and then the hon. member for Ottawa Centre.

Mr. Sargent: Mr. Minister, you say the people down there are asking you to do these things; I didn't know you were so receptive to people's wishes. What is the motivation and what is the end target? Do you know that?

Mr. Deacon: The people certainly didn't ask you to do this North Pickering confiscation.

Hon. Mr. Irvine: The motivation of this government has been, as far as I have been concerned as a minister—and I am sure as far as the government has been concerned—to try to respond to the wishes of the majority of the people; not to the minority but to the majority. That's why we have been in power for 30-some years and that is why we are going to carry on in power. And we will continue to be in power when we do things, as we are now, in regard to the North Pickering Development Corp.

Interjections by hon. members.

Mr. Chairman: Order please.

Hon. Mr. Irvine: North Pickering Development Corp. will plan the development of that area, with the co-ordination and co-operation of the people who are directly affected.

Mr. Sargent: Mr. Chairman, I would like to get your explanation as to those people who want us to do it. Who are those people? You said those people want us to do it.

Hon. Mr. Irvine: Well, very specifically, I will respond to you this way: The people who live in the area at the present time;

the people who were elected and represent the regional municipality of Durham; the people who were elected and represent the regional municipality of York; the people who are elected and represent the Metropolitan Toronto area; and the people who may come into the area, I think, have something to say about it. Those are the people I'm referring to.

Mr. Sargent: What is the minister's end target, dollar-wise?

Mrs. Campbell: Metro hasn't asked for this.

Hon. Mr. Irvine: Mr. Chairman, the hon. member has a great crystal ball he looks into once in a while. I wish I had it.

Mr. Sargent: I want a satisfactory answer. They're paying for this.

Hon. Mr. Irvine: I don't know what the end target is. I don't know what the actual amount will be. That depends on the expropriation costs. What will happen is that in my opinion we will receive full value for all the moneys expended.

Interjection by an hon. member.

Hon. Mr. Irvine: The towns, the cities will be built in 20 years' time, 25 years' time or 30 years' time; and we, as a government—

Mr. Deacon: All that land costs.

Hon. Mr. Irvine: —will not be only proud of it; we will have our moneys recovered. We'll have provided housing; we'll have provided jobs; and provided commercial enterprise where we haven't had anything in the past.

Mr. Deacon: Just increase the cost of housing to people.

Mr. Sargent: Mr. Chairman, may I say that it's incredible the minister hasn't built a single unit for low-income housing in Ontario today for apartment dwellers. He spends $170 million in this one spot—the government is spending money like drunken sailors. People who need it aren't getting housing. That's a criminal thing today.

Mr. Deacon: Right.

Hon. Mr. Irvine: Mr. Chairman, I can't let that one go by.

Mr. A. W. Downer (Dufferin-Simcoe): No.

Hon. Mr. Irvine: It's rather late and we took up time this afternoon; but in any event let's get back to the important factor, we are doing an awful lot for the people that are on low and moderate incomes.

Mr. Sargent: Where?

Mrs. Campbell: Where?

Hon. Mr. Irvine: We have a programme for rental accommodation. We have provided more rental accommodation than any other province in Canada or any other jurisdiction. We have provided programmes for those on moderate incomes. We're proud of the programmes that the Ontario Housing Corp. and the Ministry of Housing have put forward in the past.

Mrs. Campbell: What year?

Mr. Sargent: Not this year.

Hon. Mr. Irvine: I'm telling the members there is going to be housing provided for everyone, if we all co-operate.

Mr. Sargent: Come on; that's not true.

Mr. Cassidy: At $40,000 per unit.

Hon. Mr. Irvine: It will do the members' area an awful lot of good if they were to co-operate with this government and try to provide housing, instead of being so negative.

An hon. member: The minister lacks the ability.

Mr. Chairman: Now that the hon. member for Ottawa Centre is tidying his desk the chair will recognize him.

Hon. Mr. Irvine: For a couple of minutes.

Mr. Cassidy: Actually, the Chairman is wrong. My desk is quite untidy, but I hope I still have the right to speak.

How many acres has the ministry now acquired at Pickering for the $170 million that's been spent? How many does he intend to acquire for the $45 million that is now being voted?

Hon. Mr. Irvine: Approximately 17,000 acres. There will be a total of 25,000 acres.

Mr. Cassidy: Wait a minute. In January, 1974, the then Minister of Housing announced a reduction of one-third in the size of the land acquisition to 17,000 acres. Has the minister now changed his mind? Is he going back to the 25,000 acres?

Hon. Mr. Irvine: No, I think I'm right in my figures, though, Mr. Chairman. I don't

want to mislead the member. I felt the amount of acreage was 17,000 and that we had 8,000 yet to acquire, or at least to settle with. I may be wrong in that. I'll check it out.

Mr. Cassidy: Well in that case, if the minister acquired 17,000 acres for $107 million—

Hon. Mr. Irvine: Excuse me!

Mr. Cassidy: Yes.

Hon. Mr. Irvine: I have just been informed. It's 17,000 acres only.

Mr. Cassidy: I'm sorry.

Hon. Mr. Irvine: A total of 17,000 only.

Mr. Cassidy: Out of that 17,000 how many has the minister acquired and how many remain to be acquired?

Hon. Mr. Irvine: I'll get the answer for the hon. member.

Mr. Cassidy: I appreciate that answer very kindly. Maybe this is a convenient time to move the adjournment.

Mr. Chairman: It's not necessary to move the adjournment.

It being 6 o'clock, p.m. the House took recess.

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No. 156



Legislature of Ontario Debates

OFFICIAL REPORT — DAILY EDITION

Fourth Session of the Twenty-Ninth Legislature

Tuesday, December 17, 1974

Evening Session

Speaker: Honourable Russell Daniel Rowe
Clerk: Roderick Lewis, QC

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LEGISLATIVE ASSEMBLY OF ONTARIO

The House resumed at 8 o'clock, p.m.

Mr. Chairman: Order please.

Mr. V. M. Singer (Downsview): Do you want to be officially notified that you don't have a quorum?

Hon. M. Birch (Provincial Secretary for Social Development): Mr. Chairman, before you are officially notified that you don't have a quorum, I'd like to take this opportunity to introduce to you and to those members who are in the House some very fine young men and women who are members of baseball teams in Scarborough East—the Heron Park baseball club, the Markham Bluffs Softball Association, the Cedar Hill Softball Association, East Guildwood and Curran Hall. Would you welcome these young people.

Mr. Singer: Mr. Speaker, on a point of order, could I draw your attention to the fact that there is not a quorum here?

Mr. Chairman: The Minister of the Environment has an announcement.

Mr. Singer: No, there is no quorum.

Mr. Chairman: The Minister of the Environment would like to welcome guests here first.

Hon. W. Newman: (Minister of the Environment): Mr. Chairman, with your approval and that of the hon. member for Downsview, I would like to welcome tonight the 1st Ajax Scout Troop from Ajax, Ont., and their leaders. It is nice to see them here tonight to watch the House in operation, and I certainly welcome them and I'm sure you will help me in welcoming them here tonight. Thank you.

Clerk of the House: Mr. Chairman, there is not a quorum present.

Mr. Chairman: Call in the members.

Mr. Chairman ordered that the bells be rung for four minutes.

Mr. Chairman: We now have a quorum.

Hon. E. A. Winkler (Chairman, Management Board of Cabinet): Mr. Chairman, I would like to move that the House sit beyond 10:30, if necessary.

Mr. Chairman: Carried?

Mr. Singer: Oh no, not carried at all, in no way.

Mr. Chairman: Not carried?

Mr. M. Cassidy (Ottawa Centre): On the motion, Mr. Chairman, I would suggest to the House leader that we consider that matter close to 10:30. At that point, the amount of work that has been done and the progress made during the course of the evening should be considered. It's my impression we quite possibly may finish the supplementary estimates with the normal kind of debate by that time, but I don't know. I'm sure we could look at the matter then. To do it right now is unnecessary and also aggravating as far as this side of the House is concerned.

Mr. Singer: Mr. Chairman, could I speak to the House leader's motion?

Mr. J. H. Jessiman (Fort William): The member for Toronto and the Island has spoken.

Mr. Singer: I think the House leader's motion should be opposed. It's contrary to the motion we passed this afternoon. If the House leader insists on putting the motion, then we shall oppose it and we shall ask there be a vote on it. There is no reason, to my knowledge, that the 10:30 rule should be abated. If the majority of the House wants to steamroller the thing through, then let the public's opinion be their guide. If the House leader insists on forcing his motion to a vote, we shall ask for a division of the House and we shall see what happens.

Hon. Mr. Winkler: Mr. Chairman, the result of that is inevitable and well known to all of us.

Mr. Singer: If the minister wants to flex his muscles, let him flex them.

Hon. Mr. Winkler: Just a moment. The member had the floor. It's my turn. I would merely like to say, Mr. Chairman—

Mr. Cassidy: The minister is over-sensitive.

Hon. Mr. Winkler: I thought I was being absolutely magnanimous because of the

amendment I accepted this afternoon from the member for Downsview. If the debate is required, Mr. Chairman, I want the members opposite to have every opportunity they want.

Mr. Singer: Not after 10:30 at night.

Mr. J. F. Foulds (Port Arthur): On a point of order, Mr. Chairman, I submit to you that the motion is out of order. You need unanimous consent to revert to motions. Such consent was not asked for and the rules that apply to the House, apply to the committee of the whole House.

Mr. R. D. Kennedy (Peel South): That shows that the member does not know anything about parliamentary procedure.

Mr. Chairman: The member has no point of order. I am putting the motion.

Mr. Cassidy: Will you stop ruining the whole procedure of this House, Mr. Chairman?

Mr. Foulds: Mr. Chairman, you haven't the right to contravene the rules of this House.

Mr. Chairman: Will the member take his seat?

Mr. Foulds: No, I will not take my seat, unless you refer this matter to the standing rules and to the Speaker.

Mr. Chairman: Will the member for Port Arthur take his seat?

Mr. Foulds: No, I will not, until you legitimately look at the point of order that I presented to you.

Mr. Chairman: Will the member for Port Arthur take his seat?

Mr. Foulds: No, I will not, Mr. Chairman.

Mr. Chairman: Will the member for Port Arthur take his seat?

Mr. Foulds: No, not until you have looked at the point of order that I have raised.

Mr. Chairman: I have to report the member for Port Arthur to the Speaker.

Mr. Foulds: Fine, go ahead and do that.

Mr. Singer: Call him in.

Mr. Foulds: Call in the Speaker.

Mr. Singer: That is the only alternative you have. Who are you looking at, Mr. Chairman?

Mr. Cassidy: Mr. Chairman, on a point of order.

Mr. Singer: Then call in the Speaker. Don't look at the House leader.

Mr. Cassidy: On a point of order, Mr. Chairman.

Mr. Chairman: Will the committee rise and report?

Mr. Cassidy: On a point of order, Mr. Chairman.

Mr. Jessiman: Sit down. Call a vote.

Mr. Cassidy: We've been through this scene so many times with the House leader.

Hon. Mr. Winkler: Oh, don't give me this stuff.

Mr. Cassidy: If more time is needed, there is all of Wednesday during which this House could meet in order to continue its considerations of the supplementary estimates, starting at 10 o'clock or at 2 o'clock in the afternoon, whichever the government wishes to put forward. We don't see why we should have to sit past 10.30, or why the House should be forced into this kind of speedup, when we have a whole day tomorrow to deal with the business of the House.

The kind of scene into which the leader of the House puts the Chairman of this House, in connection with the member for Port Arthur, when the member for Port Arthur was making a perfectly legitimate point of order, is just plain unnecessary. I appeal to the House leader. Can't we go back five minutes and start all over again and just go into the consideration of the estimates in the normal way? Is all of this necessary?

Hon. Mr. Winkler: I'm prepared to accept that proposal because I've given notice of the motion. I can put it later this evening.

Mr. Chairman: Yes, but at the same time the Chairman has to clear his position.

Mr. Singer: Oh, no, Mr. Chairman, on a point of order, he did not give notice of the motion; he moved it.

Mr. Chairman: Will the member take his seat?

Mr. Singer: No, I won't. I have my chance, too, Mr. Chairman.

Interjections by hon. members.

Mr. Singer: Now, just don't wave your hand at me and look over there for guidance.

Mr. Chairman: I am not looking over for guidance.

Mr. Singer: Let me say this, Mr. Chairman. The House leader put a motion. He cannot now change this and say: "I have given a notice of motion." Either his motion is going to be put to a vote or not. If he wants to withdraw it, that's fine; if he wants to move it later, that is fine. Now, that's clear and that's what you've got to do.

Mr. Chairman: And the Chairman's position is clear. If any member of this House puts a motion before it, it's the Chairman's obligation to put the motion before the House. Hon. Mr. Winkler put a motion before the Chairman and it's my obligation to put it before the House.

Mr. Singer: Fine.

Mr. Chairman: But if I ask the member to take his seat and he refuses three times in a row to take his seat and obey the Chairman's orders, I have no other recourse but to refer him to the Speaker. Now, if the member for Port Arthur wants to withdraw and apologize for not taking his seat, I won't put it to the Speaker.

Mr. Foulds: Mr. Chairman, I will not apologize and I will not withdraw. You cannot put a motion unless you have the unanimous consent of the House; you did not ask for that unanimous consent. As I understand the rules, the rules of the House apply to the committee of the whole. All I was asking was for clarification of that rule and for you to put that rule to the Speaker, since clearly you do not know and do not understand it.

Hon. Mr. Winkler: Mr. Chairman, I put the motion and you called the motion, and that's precisely the way I want it.

Mr. Foulds: No, Mr. Chairman, you do not have the right to call that motion. You must seek—

Hon. Mr. Winkler: Under what rule?

Mr. Foulds: —and the House leader of the government must seek unanimous consent to put such a motion. You did not ask for it, the government did not seek it and I will not let you or the government House leader or anybody else abuse the rules of this House.

Some hon. members: Oh, oh!

Mr. Chairman: If there is anybody abusing the rules of this House it's the member for Port Arthur. When the Chairman or the Speaker asks anyone to come to order and take his seat, and he refuses, he is abusing the rules of the House.

Mr. Foulds: Have you got them?

Mr. L. C. Henderson (Lambton): He won't be around very long.

Mr. Chairman: I have no alternative this time but to ask the member for Port Arthur to withdraw his remarks said when he refused to take his seat. The Chairman of the committee asked him to come to order and take his seat, and he refused three times, so I have no recourse but to report to the Speaker and let the Speaker make the judgement as to whether the member for Port Arthur is out of order or whether the Chairman is in order.

Mr. J. E. Stokes (Thunder Bay): You go ahead and do what you have to do.

Mr. Foulds: Go ahead and report to the Speaker.

Mr. Singer: You don't need a motion to dispatch your duties.

Mr. Chairman: That's right, I don't need a motion on it. Call in the Speaker.

Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

The House resumed; Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the Chairman of the committee of the whole House reports disorder. The member for Port Arthur refused to take his seat when asked to do so by the Chairman.

An hon. member: Shame.

An hon. member: Three times.

Mr. Henderson: He should resign.

Mr. Foulds: Mr. Speaker, we cannot hear—

Hon. Mr. Winkler: Just a moment. Don't obstruct the Speaker.

Mr. Speaker: The Chairman of the committee reports disorder. I am not sure of the background of the situation. It seems to me that there were certain motions put forward.

Would someone elucidate as to what they were? The member for Port Arthur.

Mr. Foulds: On a point of order, Mr. Speaker, the Chairman was accepting a motion from the House leader that we extend the sitting of the House beyond 10:30.

It was my submission to him, as a point of order, that we cannot revert to motions to extend the House sitting unless there is unanimous consent of the House. Such consent was not sought, and I asked the Chairman to consider that. He refused to consider it and I must admit that I did not take my seat and refused to take my seat, unless he put that matter to you.

Interjections by hon. members.

Mr. Chairman: The Chairman of the committee of the whole House asked the member for Port Arthur to take his seat on three occasions and he refused. So I had no other choice but to report him to you, sir.

Mr. Speaker: It seems to me there are a couple of considerations here. Number one is the motion to sit beyond 10:30. It does not require unanimous consent. It's a motion of the House, as covered by our standing orders, and we have accepted the practice in this House of accepting it, either with the Chairman in the chair or the Speaker in the chair; that has been established.

Was that the motion that was really under question? It seems to me there are two or three getting mixed up here. Can the hon. House leader elucidate?

Hon. Mr. Winkler: Yes, Mr. Speaker, I must say that I did make the motion and the motion was called. The Chairman had already called the motion and asked for the vote.

That is one of the questions. There are two separate issues here to consider. That, as I understand it, is not a precedent and you have elucidated on that point. The other is the conduct of the member, and that you must rule on yourself. I have no jurisdiction.

Mr. Speaker: To take the point that was explained by the House leader, the motion to sit beyond 10:30 does not require unanimous consent; it's a motion by the House leader—it says by the government in our orders and I'm not sure which the number is here, but it could be found—and therefore it's an ordinary formal motion. Was that motion carried?

Hon. Mr. Winkler: The motion was not fulfilled, because of the interjections of the hon. member.

Mr. Chairman: Mr. Speaker, the hon. member for Port Arthur rose on a point of order and said the Chairman had no privilege in this House—that it wasn't within the standing orders that we had that privilege to put the vote.

I asked the hon. member on three different occasions to take his seat and he disobeyed the Chairman's orders. This is why I'm asking the Speaker to make a ruling. It is my recommendation that he should ask the member to apologize. He said he won't apologize. Either he apologizes, or he should be removed from the House.

Mr. Jessiman: He has no respect for anyone. Sit down.

An hon. member: No respect for the House.

Mr. Foulds: When the member gets named Speaker, he can say that to me; and he may or may not have success.

Mr. Cassidy: What a disaster that would be. Mr. Speaker, on a point of order.

Mr. Speaker: It seems to me there are two matters here which have been presented to me. The first being as to whether the motion was in order, I have ruled on that. The second was as to, I think, the refusal of the member for Port Arthur to resume his seat at the request of the Chairman. In that case the Chairman is not empowered to name the member; he must refer to the Speaker to do so, or otherwise.

It seems to me that we should deal with the first one. That seems to be the basis of the difference of opinion, as to whether the motion is in order or whether it's not in order. The second may look after itself, automatically.

Now that the Speaker is in the chair, I rule again that the motion was in order when the Chairman was in the chair. But now that the Speaker is in the chair, if the hon. House leader wishes to move the motion, then I would be happy to place it and to get us out of this difficulty—and that would automatically resolve, I think, the other difficulty.

Hon. Mr. Winkler: I thank you very much, Mr. Speaker. Before I move the motion, I would like to say that in any ruling I want you to be very generous with the hon. member for Port Arthur, and I'll tell you why.

I think, for the edification of all concerned, the express purpose of the motion was so that the members of the opposition would have every opportunity this evening of discussing the matters that are before us. And that was the whole total of my intent.

Mr. Cassidy: This evening, but not tomorrow. The government won't sit tomorrow because it can't run this place properly.

Hon. Mr. Winkler moves that the House sit beyond 10:30 o'clock, p.m.

Mr. Singer: Can I speak to the motion, Mr. Speaker? Mr. Speaker, reluctantly, of course, as we always do, we oppose the motion of the House leader. We believe that the hours of sitting of the House are reasonable; that if we sit and put in a full day's performance that the hour of 10:30 is sufficient to the day; that we are entitled to debate. It's unfortunate that the government often orders its business so badly that they get caught up in a rush.

Mr. Stokes: That's exactly the case.

Mr. Singer: I'm sorry.

Mr. Speaker: Let's deal with the motion.

Mr. Singer: We are caught up in the rush. Many, many members are anxious to get away on Christmas holiday, which is natural, logical and so on. But we don't order the business, Mr. Speaker. We don't order the business—

Interjections by hon. members.

Mr. Speaker: Order please.

Mr. Singer: We believe that the matters that come before us deserve full debate and full consideration from all members of the House. When half a billion dollars in supplementary estimates come here, they deserve ample consideration from all members of the House. Therefore, sir, we are going to oppose this motion, because we believe matters of importance like this should be dealt with in the normal sitting hours.

An hon. member: What is the motion?

Mrs. M. Campbell (St. George): To sit beyond 10:30.

Mr. Singer: There is no point in working the members to exhaustion, so that their minds cannot function properly and cope with the clever ministers—the Minister of Agriculture and Food (Mr. Stewart), and all those other fellows who are undoubtedly going to be much more alert, because they have many more advisers and secretaries and executive assistants and so on. We have to do it by ourselves.

So we think 10:30 is a reasonable hour. We will vote against the motion put by the House leader.

Mrs. Campbell: Right.

Mr. Foulds: Mr. Speaker, on a point of order.

Mr. Speaker: The hon. member for Thunder Bay.

Mr. Stokes: I would like to speak briefly to the motion, Mr. Speaker. To give you a little background, we had agreed to try to complete the supplementary estimates before the day was over, and we consider that a day in this Legislature is over at 10:30 p.m.

The House leader came over and asked the House leader of the Liberal Party and myself if we would agree to meet at 10 o'clock on Thursday morning because the cabinet had three different meetings tomorrow and the House wouldn't be able to sit to discuss what was before it. We had given unanimous consent on behalf of both parties over here to sit at 10 o'clock on Thursday morning because of the inability of the government to get sufficient cabinet ministers in here to conduct the business tomorrow.

We had agreed to do that. Now, because he feels the pressure is on him, he is asking for unanimous consent for a motion to sit beyond 10:30 this evening. We think we have bent over backwards on this side of the House to accommodate the wishes of the House leader, and for him to come in at this late hour and ask for something even more than that is just something we are not prepared to accept. We, too, will vote against the motion.

Mr. Speaker: The member for Port Arthur.

Mr. Foulds: Mr. Speaker, with the greatest respect, I hesitate to rise on another point of order, but in fact the government House leader is out of order with his motion to you. I call to your attention rule 33(c), which says quite clearly that no motion shall be prefaced by recitals or preambles. The government House leader quite definitely gave a preamble to his motion and I submit to you, with the greatest of respect, that it is out of order.

Mr. Speaker: I rule that out. I might say that I had requested the House leader to provide some elucidation on the matter.

Mr. S. Lewis (Scarborough West): I would like to stand on a very brief point of order, speaking directly to the motion. On at least three occasions in the last two weeks the House leader has assured me personally that one of the things he would not engage in again, and certainly not in this session, was late night sittings. He said it quite explicitly. He made it virtually a guarantee. He said it as a friend. He said it as a colleague in the Legislature. He said—and some of us believed him—that this was the way he was going to play the rest of the session. I really don't think that at this point he should be imposing an extended sitting, since we can encompass all the work by the end of the week anyway.

Hon. Mr. Winkler: Mr. Speaker, what the hon. member has said is absolutely correct. What I have said this evening is that I moved the motion, in order to give the members of the opposition full opportunity—

Some hon. members: Oh, oh.

Hon. Mr. Winkler: Well, I did, and I did it in all sincerity. It was not my intention to provoke or to abuse anybody else.

I have done this very wilfully, all through this tremendous experience of mine of trying not to sit late hours. I don't intend to and I don't want to, but let me say this: I had an agreement with both of them this evening about Thursday morning, which I appreciate; I think that is very high-class. But I also had an agreement last night about today, until the member for Downsview stepped into the picture and—

Some hon. members: Oh, oh.

Hon. Mr. Winkler: Now, now. I want to say—

Mr. Foulds: The government House leader does not have an agreement with this party.

Hon. Mr. Winkler: No, don't do that. I have every respect for the opposition House leader—more respect than I have for any of his colleagues, because they don't live up to it. We made that deal.

An hon. member: All of us?

Mr. Singer: Baloney.

Interjections by hon. members.

Hon. Mr. Winkler: I am speaking the truth—Mr. Speaker, I have the floor.

Mr. Singer: That's a bunch of baloney.

Interjections by hon. members.

Mr. Lewis: Is the press party still on?

An hon. member: He is trying to get back to it.

Interjections by hon. members.

Mr. Speaker: Order, please. Will the hon. House leader please take his seat?

Mr. Singer: When the minister was bad he was very, very bad and when he didn't get his own way he sulked.

Mr. Speaker: Order, please. I think we started this day off in a very friendly atmosphere and I hope we will finish it the same way. I wonder if—

An hon. member: It is the fault of the press gallery.

Mr. Singer: The Premier (Mr. Davis) doesn't like the press either.

Mr. Speaker: Order, please. In view of the general sentiments expressed here tonight, I wonder if the House leader might give an indication of what hour he might consider reasonable and perhaps we can resolve it that way.

Mr. Singer: The hour is 10:30.

Mr. Speaker: Order, please. If it is agreeable to go beyond 10:30—

Mr. Lewis: If the House leader was doing it for our benefit, it was wilfully derogatory. We prefer not to take the benefit. Why doesn't he withdraw?

Mr. Speaker: Order, please. We have the motion before us.

Interjection by an hon. member.

Mr. Speaker: Thank you very much, but order, please. I think we should all reflect upon ourselves.

The motion is that this House sit beyond 10:30 this evening.

The House divided on Hon. Mr. Winkler's motion, which was approved on the following vote:

AYES	NAYS
Apps	Bounsall
Auld	Breithaupt
Beckett	Bullbrook
Bernier	Burr
Birch	Campbell
Brunelle	Cassidy
Carruthers	Deans

Ayes	Nays
Downer	Dukszta
Drea	Edighoffer
Evans	Ferrier
Ewen	Foulds
Gilbertson	Gaunt
Grossman	Germa
Havrot	Haggerty
Henderson	Laughren
Hodgson (Victoria-Haliburton)	Lawlor
Hodgson (York North)	Lewis
Irvine	Newman (Windsor-Walkerville)
Jessiman	Renwick
Johnston	Riddell
Kennedy	Roy
Lane	Ruston
Leluk	Sargent
MacBeth	Singer
Maeck	Smith (Nipissing)
Meen	Spence
Miller	Stokes
Morningstar	Worton
Newman (Ontario South)	Young—29.
Nixon (Dovercourt)	
Nuttall	
Reilly	
Rhodes	
Rollins	
Root	
Scrivener	
Smith (Simcoe East)	
Smith (Hamilton Mountain)	
Taylor (Prince Edward-Lennox)	
Turner	
Villeneuve	
Walker	
Wardle	
Wells	
White	
Winkler	
Wiseman—47.	

Clerk of the House: Mr. Speaker, the "ayes" are 47, the "nays" 29.

Mr. Speaker: I declare the motion carried.

There is one other matter to be dealt with. That is the matter which was referred to Mr. Speaker earlier, and that was the fact that after repeated requests from the Chairman of the committee, the member for Port Arthur had refused to take his seat.

Interjections by hon. members.

Mr. Speaker: Order, please. Mr. Speaker will deal with it.

I think in the spirit of the season that the member for Port Arthur should realize that he was somewhat in the wrong, and I would await his next action.

Mr. Lewis: What do you mean you will wait? You will wait a long time.

Mr. Foulds: Mr. Speaker, with the greatest of respect I cannot, in all conscience, make a retraction.

Interjection by an hon. member.

Mr. Speaker: Order, please.

Mr. Foulds: If I may rise on a point of personal privilege. I submitted a point of order to the Chairman of the committee of the whole House, the member for York North (Mr. W. Hodgson), who would not hear that point of order. I asked him if he would—

Hon. A. Grossman (Provincial Secretary for Resources Development): Apologize carefully.

Mr. Lewis: Why doesn't that minister gerrymander another riding to save his seat?

Mr. Speaker: Order, please. Mr. Speaker would like to hear the circumstances.

Mr. Foulds: I rose on a point of order that a motion cannot be put without unanimous consent of the House. As my authority, I refer you to May, chapter 28, the section requiring period of notice: "No positive rule has been laid down as to the minimum time which shall elapse between the notice and the motion, but some time is generally assigned to motions that may provoke debate."

I submit to you, Mr. Speaker, that the motion put by the government House leader was bound to provoke debate; yet no notice was given.

I refer you, further, in May, in the same chapter: "The House can waive the right of requiry notice for a substantive motion if the motion is moved under the sanction of the Chair and with the general concurrence of the House." I was about not to give that general concurrence, Mr. Speaker.

I further submit, and quote from May: "The objection of any member is enough to prevent the waiver of notice as, for instance, in the case of a motion"—and May cites a motion for an 11 o'clock sitting on a day other than Friday. I submit to you, Mr.

Speaker, that I submitted that point of order in good conscience, in order to protect—

Interjections by hon. members.

Mr. Lewis: You are a throwback. I'm a neanderthal.

Hon. J. R. Rhodes (Minister of Transportation and Communications): You will be thrown out.

Mr. Speaker: Order, please.

Mr. Foulds: In our own rules it does state quite clearly that the committee of the whole House is governed by the same rules which govern the House, except for speaking on motions. So, I submit to you that in fact my point of order was in order. Whether or not you judge in favour or oppose it, I'm willing to accept the judgement. The Chairman of the committee of the whole House refused to consider the question; refused to hear me.

Mr. Speaker: It has been previously ruled that the motion was in order and did not require the unanimous consent of the House.

Now, on this particular motion I've no reason to change my mind at the moment. I will reconsider, and at the moment I will hold it in abeyance, because I want to make certain that I am correct. But that was my original ruling and I have no reason to think I am wrong, but I shall check into it at a more calm moment.

Interjections by hon. members.

Mr. Speaker: Order, please. That motion has been carried and I will report on the other point at the first opportunity.

An hon. member: Do we sit all day tomorrow?

Mr. J. E. Bullbrook (Sarnia): I want to wish you all a very merry Christmas.

Clerk of the House: Order for committee of supply.

SUPPLEMENTARY ESTIMATES, MINISTRY OF HOUSING
(continued)

Mr. Lewis moves the committee rise and report.

Interjections by hon. members.

Mr. Lewis: On a point of order, Mr. Chairman, I will withdraw the motion if the House leader indicates that we will rise at 10:30. Otherwise, I move that my motion stands. I won't participate in this. And I like the House leader, on occasion.

Hon. Mr. Grossman: Like when he agrees with you.

Mr. Chairman: The member for Scarborough West has no point of order.

Mr. Lewis: No what?

Mr. Stokes: No right to move a motion?

Mr. Chairman: Pardon?

Mr. Stokes: Has he no right to move a motion?

Mr. Chairman: Yes, he has.

Mr. Lewis: I have every right to move a motion on this—

Interjection by an hon. member.

Mr. Lewis: Absolute right; every right in the world. I have moved that the committee rise.

Mr. Bullbrook: Anybody want to speak?

Mr. Chairman: Order, please. I have a motion before me. It is moved by the member for Scarborough West that the committee rise and report.

The committee divided on Mr. Lewis's motion that the committee rise and report, which was negated on the following vote:

Clerk of the House: Mr. Chairman, the "ayes" are 29, the "nays" 43.

Mr. Chairman: I declare the motion lost.

Hon. Mr. Winkler moves the committee rise and report.

Mr. Lewis: Mr. Chairman, on a point of order, that motion can't be moved. There has to be business transacted in the interim.

I have just transacted that business, now the House leader can move his motion.

Mr. Chairman: Hon. Mr. Winkler moves the committee rise and report.

Motion agreed to.

Mr. Lewis: Hear, hear!

The House resumed, Mr. Speaker in the chair.

Mr. Chairman: Mr. Speaker, the committee of the whole House begs to report certain resolutions and asks for leave to sit again.

Report agreed to.

Hon. Mr. Winkler moves that the House will sit tomorrow, Dec. 18, at the usual hour of 2 p.m.

Mr. Speaker: Shall this motion carry?

Some hon. members: No.

Mr. Speaker: Those in favour of the motion will please say "aye."

Those opposed will please say "nay."

In my opinion the "ayes" have it.

Motion agreed to.

Mr. Lewis: Mr. Speaker, do you ask yourself why you come in here?

Hon. Mr. Winkler: Mr. Speaker, in the interim during the last vote, the House leaders met and reached certain conclusions. One, there will be no question period tomorrow when the House resumes its sitting at 2 o'clock—

Mr. E. Sargent (Grey-Bruce): No way.

Interjections by hon. members.

Mr. Speaker: Order, please.

Hon. Mr. Winkler: —it will deal directly with the consideration of estimates. And I must say for the edification of the members that we have agreed on a certain conclusion to the business of the House in this week.

Hon. Mr. Winkler moves the adjournment of the House.

Motion agreed to.

The House adjourned at 10:25 o'clock, p.m.

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